

DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: October 27, 2010

SPEX 2009-0005, Harvard Junior Preschool

DECISION DEADLINE: March 31, 2011

PROJECT PLANNER: Sophia Fisher DEPARTMENT DIRECTOR: Julie Pastor

ELECTION DISTRICT: Dulles

EXECUTIVE SUMMARY

Navneen Sandhu of Ashburn, Virginia has submitted an application for a special exception to permit a child care center in the R-2 (Single Family Residential) zoning district. The property is also located within the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60. This application is subject to the Revised 1993 Zoning Ordinance and the proposed use is listed as a Special Exception use under Section 3-203(S), subject to the Additional Regulations set forth in Section 5-609. The modification of the buffering and screening requirements applicable to the proposed Special Exception use is authorized as part of an approval action of a Special Exception under Section 5-1403(C), pursuant to which the applicant also request a modification of Table 5-1414(A) of Section 5-1414(A), the Buffer Yard and Screening Matrix, to 1) Modify the required plantings and reduce the minimum width of the Type 1 Side Buffer Yard located along the eastern boundary of the property from 10 feet to 3 feet; 2) Modify the required plantings and reduce the minimum width of the Type 2 Side Buffer Yard located along the western boundary of the property from 20 feet to 3 feet along the proposed parking lot and 6.5 feet along the remainder of the western boundary; and 3) Reduce the minimum width of the required Type 2 Rear Buffer Yard located along Waxpool Road from 20 feet to 7 feet. The subject property is approximately 1.0 acre in size and is located on the southwest side of Shellhorn Road (Route 643) and on the north side of Waxpool Road (Route 2119), at 43676 Waxpool Road, Ashburn, Virginia, in the Dulles Election District. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)), which designates this area for residential uses.

RECOMMENDATION

In general, staff could support the application, subject to the resolution of the Shellhorn Road right-of-way dedication and the off-site parking agreement. However, staff remains

concerned about the scale of the project, given the small size of the parcel and the size of the proposed building.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward SPEX 2009-0005, Harvard Junior Preschool, to a Planning Commission work session for further discussion.

OR

2. I move that the Planning Commission forward SPEX 2009-0005, Harvard Junior Preschool, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated October 6, 2010 and with the Findings contained in the October 27, 2010 staff report.

OR

3. I move that the Planning Commission deny SPEX 2009-0005, Harvard Junior Preschool based on the following findings:

1. _____
2. _____
3. _____

VICINITY MAP



Directions: From Leesburg, take Route 7 east. Take Claiborne Parkway south to Waxpool Road. Turn left on Waxpool, left again on Ashburn Road, and then the first right onto Shellhorn Road. Site will be on the right.

TABLE OF CONTENTS

I.	Application Information	5
II.	Summary of Discussion	6
III.	Conclusions.....	7
IV.	Conditions of Approval.....	7
V.	Project Review	8
	A. Context	8
	B. Summary of Outstanding Issues.....	8
	C. Overall Analysis.....	9
	D. Zoning Ordinance Criteria for Approval	14
VI.	Attachments	17

PLANNING COMMISSION PUBLIC HEARING
SPEX 2009-0005, Harvard Junior Preschool
OCTOBER 27, 2010

**APPLICANT/
REPRESENTATIVE:** Navneen K Sandhu
22550 Beechdrop Drive
Ashburn, VA 20148
703-542-5191
Navneen.sandhu@gmail.com

PROPOSAL: A Special Exception for a 12,075 sq. ft. childcare/preschool center in the R-2 Zoning District of the Revised 1993 Zoning Ordinance.
Application received May 18, 2009.

PROPERTY ADDRESS: 43676 Waxpool Road Ashburn, VA 20147

PROJECT LOCATION: NE intersection of Waxpool and Shellhorn Roads

TAX MAP/PARCEL: Tax Map - /79/////////11/ PIN - 119-30-7673

PROPOSED ZONING: R-2

SURROUNDING ZONING/LAND USE:

NORTH	R-2	Urban Single Family
SOUTH	R-16	Suburban Single Family/Vacant
EAST	RC	Commercial/Industrial/Shopping Center
WEST	R-2	Urban Single Family/Vacant

ELECTION DISTRICT: Dulles

II. SUMMARY OF DISCUSSION

Topic/Issue Area	Issues Examined and Status
Community Planning	<ul style="list-style-type: none"> Show required buffers and landscaping. Resolved—landscape buffers shown on the plat. Provide information regarding lighting and signage. Resolved—lighting and signage will meet Ordinance requirements. Commit to illustrative building materials and appearance. Resolved—Condition 4.
Zoning	<ul style="list-style-type: none"> Clarify modification requests. Resolved—modification requests shown on the plat. Revise plat according to referral comments. Resolved—plat revised as requested. Demonstrate how the required parking can be provided. Unresolved—the applicant is working with the neighboring church to provide the 24 spaces that cannot be provided onsite.
Environmental	<ul style="list-style-type: none"> Provide information regarding stormwater management. Resolved—information provided as requested.
Transportation	<ul style="list-style-type: none"> Provide sidewalk reservations on Waxpool and Shellhorn Roads. Resolved—reservations shown on the plat. Move the site entrance from Waxpool Road to Shellhorn Road to reduce conflicts with the entrance to the east. Resolved—site entrance moved as requested. Dedicate 35' of right-of-way along Waxpool Road in conformance with the 2010 CTP. Resolved—dedication shown on the plat. Dedicate 25' of right-of-way along Shellhorn Road in conformance with the 2010 CTP. Unresolved—the applicant has agreed to dedicate 15' feet of right-of-way, which is consistent with the parcel to the east but not with the 2010 CTP.
Fire and Rescue	<ul style="list-style-type: none"> Determine whether a voluntary fire/rescue contribution is appropriate. Unresolved—staff is working to determine whether County policy would require the contribution.
Policy or Ordinance Sections Subject to Application	
Revised General Plan	
Chapter 7, Planned Land Use Map	
Chapter 11, Design Guidelines, Residential Neighborhoods, text	
Retail Plan, Service Area-Based Retail, B, policies 2, 5, 6, 7, and 8	
Retail Plan, Service Area -Based Retail Policies, General Policies, policies 1 and 2	
Retail Plan, Building Placement and Design, Policies 6-9	
Retail Plan, Design Guidelines, Circulation, Parking and Lighting, policy 1	
Retail Plan, Design Guidelines, Signs and Lighting, policies 1 and 2	
Retail Plan, Design Guidelines, Landscaping and Buffering, policies 2 and 4	
Retail Plan, General Retail Policies, policy 6	
Bike/Ped Plan, Chapter 4, Land Development Policies, policies 3, 5, 6, & 7	
CTP, Chapter 2, Pedestrian and Bicycle Facilities Policies, policy 5	
Revised 1993 Zoning Ordinance	
Section 3-203, SPEX uses in R-2	
Section 5-609, additional regulations for child care centers	
Section 5-1102, parking	
Section 5-1400, landscaping	

III. CONCLUSIONS

1. A child care center in a residential zoning district meets the policies of the Revised General Plan that call for neighborhood supporting retail and service uses, and therefore the use is appropriate for the subject site.
2. The proposed fencing and landscaping around the parking lot and play area will provide adequate mitigation to the surrounding uses.
3. The transportation network can accommodate the increased trips generated by the proposed use; however, the application is not consistent with the Countywide Transportation Plan. The SPEX plat needs to be revised to reflect the full 25' right-of-way dedication on Shellhorn Road to be consistent with the CTP.
4. If a lease agreement can be reached with the Heritage Baptist Church, all of the required parking spaces can be provided.
5. As conditioned, the application conforms to the Revised 1993 Zoning Ordinance.

IV. CONDITIONS OF APPROVAL (October 6, 2010)

1. Substantial Conformance. This special exception is for a 12,075 square foot child care center in the R-2 Zoning District (Section 3-203(S) of the Revised 1993 Loudoun County Zoning Ordinance). The Special Exception use shall be developed in substantial conformance with the Special Exception Plat entitled "Harvard Junior Preschool SPEX 2009-0005 & SPMI 2009-0008," prepared by DRS Architecture, PLC, dated March 31, 2009 and revised through August 18, 2010 (the "Plat"). The Approval of this application for Tax Map # /79////////11/ (PIN # 119-30-7673) (the "Property") shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. Parking. Prior to site plan approval, the applicant shall record an executed lease agreement with the Heritage Baptist Church showing that all 24 required parking spaces not able to be accommodated on the child care center parcel shall be provided in the existing church parking lot. If a lease agreement cannot be reached with the church, the child care center use shall be reduced proportion to the parking that the applicant can on site.
3. Landscaping. Landscaping shall be provided in accordance with Sheets 3 of 5 and 4 of 5 of the Plat. All landscaping shall be maintained in good health, and dead or diseased materials shall be replaced.
4. Building Elevation. The design and appearance of the building shall be in substantial conformance with the "Building Design" depicted on Sheet 5 of 5 of the Special Exception Plat. A determination of substantial conformance shall be made at the time

of zoning permit in consultation with the Community Planning division of the County's Department of Planning. Architectural drawings depicting the "Building Design" shall be submitted at the time of site plan.

5. Shellhorn Road Right-of-Way Dedication. Pursuant to the policies of the Revised Countywide Transportation Plan (2010 CTP), the applicant shall dedicate 25' of right-of-way along the property's frontage on Shellhorn Road at no cost to the County, at the time of Site Plan approval.
6. Bicycle Racks. The applicant shall provide a bicycle rack that can accommodate up to 5 bicycles on the property, to be shown at the time of site plan approval.
7. Pedestrian Safety. Subject to VDOT approval, the applicant shall provide a crosswalk across Shellhorn Road to connect the proposed child care center use with the Heritage Baptist Church in order to facilitate the safety of the users of the off-site parking spaces. In addition, the applicant shall construct the sidewalk along the Shellhorn Road frontage at the time that the site is developed.

V. PROJECT REVIEW

A. Context

The applicant is requesting a Special Exception to permit a 2 story, 12,075 SF child care center/preschool serving up to 110 children (ages 0-5 years) in the R-2 (Residential) zoning district. The use would be open from approximately 7:00 AM until 6:30 PM, with some children in attendance all day, and some for part of the day. The site is approximately 0.8 acres in size and has an existing single family house, which will be removed. The site is located on Shellhorn Road just east of Ashburn Road, and also has frontage on Waxpool Road. The site has a small amount of forest cover, but no significant environmental features. To the east, the adjacent parcel has been developed with a small convenience store use. To the west is vacant land that is zoned residential and has an approved townhouse development. Across the street to the north is residential, with the parcel to the northwest currently developed with the Heritage Baptist Church.

The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the land use policies of the Revised General Plan, the Revised Countywide Transportation Plan (CTP), the Countywide Retail Policy Plan Amendment (Retail Plan), and the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply.

B. Summary of Outstanding Issues

- The applicant does not agree to dedicate the full 25' of right-of-way along Shellhorn Road, as called for by the 2010 CTP.

- The applicant continues to work with the Heritage Baptist Church to work out a lease agreement for the 24 required parking spaces that cannot be accommodated on the child care center parcel.
- Although the application mitigates the impacts of the proposed use, staff is generally concerned about the degree of the modification requests and the scale of the proposed building.

C. Overall Analysis

COMPREHENSIVE PLAN

Land Use

The Revised General Plan identifies the subject site as suitable for residential uses. Overall, the County's land development strategy is to encourage compact, mixed use developments that allow people to live, work, recreate, and shop in a pedestrian-friendly environment. The Plan envisions retail commercial and service uses within residential communities to be an integral component of residential communities.

Child care centers are appropriate uses within residential communities because they will provide support services and local employment opportunities to the surrounding residents. The proposed site is located in an area that is predominately residential with a small retail commercial center located directly east of the parcel. The Plan envisions that residential neighborhoods will have a peaceful character suitable for private domestic life. Staff notes that the Revised 1993 Loudoun County Zoning Ordinance requires all child care facilities to comply with the County and State Codes regarding number of employees and the amount of indoor and outdoor space required per child. The applicant is requesting a Minor Special Exception (SPMI 2009-0008, to be heard by the Board of Supervisors) to reduce the required outdoor play area to accommodate the number of children who would be outside at one time rather than all the children in the child care center use. Staff finds that with the appropriate mitigation measures in place, a child care center is an appropriate use of the subject site.

Landscaping

The Retail Plan calls for all buildings and parking areas to be sufficiently screened and buffered from adjoining residential areas by distance, transitional uses, landscaping and/or natural vegetation to mitigate the effects of noise, lighting and traffic on the surrounding residences. The proposed child care center is located adjacent to future residential uses to the west and a small neighborhood commercial center to the east.

With the first submission, it was unclear whether the required buffers could be met on the site, and whether sufficient landscaping could be provided to screen the adjacent properties from the proposed use. With the subsequent submission, the applicant added a request to modify the required buffers on the eastern, western, and southern property boundaries (to be more fully discussed in the Zoning section, below). The applicant is also proposing to modify the required landscaping materials and provide a hedgerow in lieu of the required combination of canopy trees, evergreen trees, and shrubs. Additionally, 6' wood privacy fencing is proposed to screen the parking and play area from adjacent properties. The

proposed playground has been relocated away from existing residential uses and is to be buffered by landscaping and fencing. The property adjacent to the playground is currently vacant land zoned R-2, Residential. The proposed fencing and associated buffering is adequate to mitigate impacts to the adjacent property should it be developed with residential uses (see Zoning section, below). Staff finds that the proposed fencing and landscaping around the parking and play area will provide adequate mitigation to the surrounding uses; this issue is resolved.

Lighting & Signage

Lighting within retail areas should reduce glare and spillage of light onto adjoining properties and streets. Further, signage should be developed as an integral part of the overall center design with a unified graphic design scheme. With the initial submission, no information on signage and lighting has been provided. Subsequent submissions show that site lighting and signage will be in compliance with Ordinance requirements. This issue is resolved.

Site Design and Architecture

The site is oriented with the entrance on Shellhorn Road. The parking is located in the front of the building, with the playground to the rear, proximate to Waxpool Road. There is no entrance onto Waxpool Road. Although having the parking in front of the building is not ideal, the site is too narrow to allow the parking to be placed to the rear of the building. Additionally, the current site design allows for the playground and parking area to be completely separated by the child care center building.

The Retail Plan anticipates a high quality architectural design for proposed retail developments, including the provision of recesses and offsets to reduce the building massing; a preference for pitched, mansard, and other distinctive roof forms; the screening of rooftop and/or ground-mounted mechanical equipment; and the provision of measures to provide pedestrian weather protection, such as a continuous arcade. The special exception application materials include building elevations which propose a two story, pitched roof building with a brick front and horizontal siding along the rear and side facades. Windows have been provided along all sides of the building which results in a façade that incorporates features that avoid presenting a “blank side” to adjacent properties and reduces the massing of the building. The architectural design appears to be in keeping with the design objectives of the Retail Plan. However, the application shows the elevations as illustrative only. Commitments should be made to ensure that the design will be achieved when the site is developed. Staff has developed a condition of approval (#4) to require that the building be constructed in accordance with the illustrative.

Bicycle and Pedestrian

All land development applications are to provide bicycle, pedestrian, and transit access linkages to the County Bicycle and Pedestrian Network. Developments should enhance bicycle and pedestrian mobility throughout the County with attention to mobility both within a site and between adjacent sites. The CTP states that all development proposal site plans will show safe, direct, and barrier-free pedestrian and bicycle circulation systems. All land development applications shall also include appropriate forms of bicycle parking (Condition 6). On-site, pedestrian travelways that provide a safe route from the parking areas to the

buildings via a demarcated pathway and directional signage should be provided. The applicant has provided a sidewalk dedication along Waxpool and Shellhorn Roads, which would allow a future sidewalk to be constructed in that section of Waxpool.

ZONING

The applicant is requesting a Special Exception to provide a child care center in the R-2 zoning district. Because of the physical constraints of the site, the applicant is also requesting buffer and landscape modifications to the side and rear property boundaries, including working with the Heritage Baptist Church to provide a portion of the required parking, which cannot be fully accommodated onsite. The church parking lot is 320 feet away from the front door of the proposed child care center. Note: as of this writing, the application contains a modification request to reduce the total number of required parking spaces by six. The applicant is currently negotiating with the church to lease an additional six spaces, which would eliminate the need for the parking modification.

In addition, the applicant is requesting a Minor Special Exception to modify the required outdoor play area, which will be addressed as the application proceeds to the Board of Supervisors.

Modification Request

The applicant is requesting the following modifications to Section 5-1414 (B) and Table 5-1414 (A):

Property boundary	Required Buffer	Requested Reduction	Proposed Mitigation
West (side)	Type II buffer; minimum 20' width	Reduce to 6.5' beside building and parking lot; 3' by parking lot	6' high wood privacy fence, with a hedgerow
East (side)	Type I buffer; minimum 10' width	Reduce to 3' by parking lot; no reduction proposed by building or playground	6' high wood privacy fence, with a hedgerow
South (front)	Type II buffer; minimum 15' width	Reduce to 7'	6' high wood privacy fence, with enhanced shrub and understory tree plantings.

Justification

The basis for the applicant requesting the buffer yard modifications is the site's small size and shape: it is an elongated rectangle. On the Waxpool Road side of the property, the applicant is not able to provide the required 15' buffer yard due to a combination of a 35' right-of-way dedication for Waxpool Road, 10' for a sanitary sewer easement, and a 6' reservation for a future sidewalk, all requested by the County. The applicant is requesting the side yard modifications in order to accommodate the required outdoor play area and to accommodate as much parking on site as possible.

Analysis

While the requested modifications are significant, the applicant is proposing mitigation measures that significantly exceed the degree of visual screening that would normally be achieved with Type I and Type II landscape buffers. These measures include 6' high wood privacy fencing on all three sides, and enhanced shrub plantings. Staff also acknowledges that the site's physical constraints pose development difficulties when it comes to meeting the required buffers. Staff finds that the proposed 6' wood privacy fence, in combination with the enhanced hedgerow being provided, provides a higher degree of screening and buffering than would be provided by the required buffers.

Parking

The Ordinance requires that a child care center provide 1 parking space for every 5 children enrolled, 1 parking space per employee, and 1 pickup/drop off space per every 20 children enrolled for a total of 44 spaces for the use. Of those spaces, the applicant is able to provide the 6 required pickup/drop off spaces, and an additional 14 spaces (of which 2 are to be handicapped) on the site. For the remainder of the parking spaces, the applicant is working out an agreement with the nearby Heritage Baptist Church to use 24 of their parking spaces in order to provide all of the required parking. The church parking lot starts 320 feet away from the principal entrance of the proposed building. This meets the Ordinance requirement that the parcel where the parking is to be provided is within 500 feet of the principal entrance of the building. Both the proposed child care center and the existing church are located towards the end of a cul-de-sac. However, staff recommends that the applicant provide a crosswalk and signage to alert drivers that pedestrians may be crossing the road if VDOT approval can be obtained. Staff also recommends that the sidewalk on Shellhorn Road be constructed at the time the site is developed in order to increase pedestrian safety.

The applicant currently has an agreement for 18 of the required spaces, and is requesting a modification to reduce the required parking by 6 spaces. Staff has suggested that the applicant work with the church to see if the church would be willing to allow the child care center to use an additional six church parking spaces, which would eliminate the need for the request to modify Table 5-1102 that is currently part of the application. The church parking lot meets the proximity requirements of the Ordinance; staff has no issue with this aspect of the request, given that it is extremely rare for a child care center to use all of its required spaces. Staff has drafted a condition of approval to require that the lease agreement with the church be finalized prior to site plan approval; this issue is resolved.

TRANSPORTATION

Access to neighborhood retail and service uses will be provided by major or minor collector roadways at existing and planned median breaks, intersections or consolidated access points. Accessibility to the site will not conflict with residential vehicular and pedestrian traffic. In order to help prevent strip commercial development, the site should be designed to minimize multiple entrances serving individual uses. This site is located next to a small retail center that has access to both Waxpool Road and to the cul-de-sac of Shellhorn Road. The proposed use would generate approximately 113 AM peak hour trips and 66 PM peak hour trips. Per staff's recommendation, the applicant closed the initially proposed entrance from Waxpool Road and moved the site entrance to Shellhorn Road. The entrance relocation

removes the potential conflict between users turning into the convenience store from Waxpool Road and users accessing the potential child care center from Shellhorn Road.

Shellhorn Road, between the cul-de-sac and Ashburn Road, is a shoulder and ditch, two-lane local road in a variable right-of-way. As a local road, it is not part of the CTP road network. CTP policies call for a 25' foot right-of-way dedication for all local roads during legislative applications. It is not anticipated that the road would be widened. The proposed 15' right-of-way dedication proposed by the applicant would accommodate the road in its current and future condition.

In general, the local road network has the capacity to handle the additional trips generated by the proposed use; the intersections that were listed as failing in the original traffic study will either be improved via proffers from other developments in the vicinity, or have already been closed (the intersection of Shellhorn and Waxpool Roads). In addition, at the time the second OTS referral was written, it was thought that the applicant for this use may need to dedicate additional right-of-way to accommodate a right turn lane from Waxpool Road to Ashburn Road. A further review of revised construction plans showed this dedication would not be necessary; the issue is resolved.

The applicant has agreed to provide a 35' right-of-way dedication along Waxpool Road as requested, which is consistent with the 2010 CTP (shown on the plat). However, the 2010 CTP calls for a 25' right-of-way dedication on Shellhorn Road, and the applicant has only agreed to a 15' right-of-way dedication. This proposed 15' dedication is consistent with the convenience store parcel to the east, but does not meet the requirements of the plan; this issue is not resolved. The applicant has also provided reservations for 6' sidewalks along both Shellhorn and Waxpool Roads, which is consistent with the requirements of both the 2010 CTP and the Bike/Ped Plan; this issue is resolved.

ENVIRONMENTAL

The initial submission of this application did not include any information on environmental issues such as stormwater management. With the subsequent submissions, the applicant has shown that a minimum of 50% of the parking area shall use pervious paving, and that stormwater management will adhere to County FSM requirements. Note 21 on Sheet 1 of the plat states that "Stormwater management and/or best management practices for the property shall be provided per the current Loudoun County Facilities Standards Manual. Over one-half of the parking lot will be pervious pavement. Rain gardens or rain barrels will be provided at 50% or more of the building downspouts." As the site has been previously graded and developed, there are no existing significant environmental features to be preserved; this issue is resolved.

FIRE AND RESCUE

The Loudoun County Board of Supervisors has adopted a policy that calls for legislative applications to make a voluntary contribution to the volunteer fire and rescue companies if the parcel is served by volunteer companies. The site is planned to be served by the Moorefield Fire and Rescue station, which is a County-funded facility currently under construction. Staff

is working to determine who currently serves the subject site and whether the fire/rescue contribution policy would apply.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 of the Revised 1993 Zoning Ordinance states "In considering a Special Exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification or Special Exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":

Standard Whether the proposed Special Exception is consistent with the Comprehensive Plan.

Analysis The Plan supports neighborhood level service and retail establishments. The proposed child care center would add to the available services in the area, and would also be located next to a small convenience store. However, the design is not able to accommodate the required buffers, and the applicant has not agreed to dedicate the full right-of-way requested by the Office of Transportation Services. In general, staff can support the application, but remains concerned about the scale of the project compared to the size of the subject site.

Standard Whether the proposed Special Exception will adequately provide for safety from fire hazards and have effective measures of fire control.

Analysis The use will meet all appropriate building and fire codes.

Standard Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

Analysis The child care center will generate noise during the day that would be typically associated with children playing outside. The 6' wood privacy fence proposed to mitigate the impacts of reducing the landscape buffer yards will be more effective at blocking noise than the relatively low amount of landscape materials typically found in a Type I or II buffer. In addition, the property to the east is a convenience store.

Standard Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

Analysis Lighting for the proposed use will meet all appropriate Zoning Ordinance requirements; lights will be downward directed, cutoff, and shielded in order to prevent light trespass onto adjacent parcels.

<u>Standard</u>	Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.
<u>Analysis</u>	The proposed use is located between an existing convenience store to the east and an undeveloped townhouse community to the west. Child care centers are frequently located in residential neighborhoods in order to provide a convenient service to the public.
<u>Standard</u>	Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.
<u>Analysis</u>	While the applicant is proposing significant reductions in the width of the required buffer yards, the applicant is proposing to mitigate the impacts of the reduction by installing a 6' wood privacy fence on all three sides (except the east side, where there is an existing fence on the convenience store property to the east.
<u>Standard</u>	Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archeological or historic feature of significant importance.
<u>Analysis</u>	The site has previously been graded and has an existing building, so there are no features worth preserving.
<u>Standard</u>	Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.
<u>Analysis</u>	The site has previously been graded and has an existing building, so there are no features worth preserving.
<u>Standard</u>	Whether the proposed Special Exception at the specified location will contribute to or promote the welfare or convenience of the public.
<u>Analysis</u>	The proposed use will promote the convenience of the public by adding to the available pool of child care centers.
<u>Standard</u>	Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.
<u>Analysis</u>	Based on a recommendation from the Office of Transportation Services, the applicant redesigned the site so that the entrance is from Shellhorn Road, not Waxpool Road as initially proposed. This eliminated the potential conflict between the proposed entrance on Waxpool Road and the existing entrance just a couple hundred feet to the east for the convenience store. The road

network in the vicinity of the site is able to handle the additional trips generated by the proposed use without causing adverse impacts.

Standard Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet the code requirements of Loudoun County.

Analysis The proposed use would consist entirely of new construction.

Standard Whether the proposed Special Exception will be served adequately by essential public facilities and services.

Analysis The proposed use will be served by public utilities and services.

Standard The effect of the proposed special exception on groundwater supply.

Analysis The proposed use will be served by public utilities and services.

Standard Whether the proposed use will affect the structural capacity of the soils.

Analysis Not applicable.

Standard Whether the proposed use will negatively impact orderly and safe road development and transportation.

Analysis The local road network has the capacity to handle the increased traffic generated by the proposed use. However, the applicant has not agreed to dedicate the full right-of-way (25 feet) requested by the Office of Transportation Services. The applicant has agreed to dedicate 15 feet, which is consistent with the convenience store parcel to the east. The applicant has stated that if they were to dedicate the requested 25 feet, they would not be able to provide as much parking on a site that already cannot accommodate all the parking the Ordinance requires. In addition, there are no plans for Shellhorn Road to be expanded in the 2010 CTP; however, CTP policies call for a 25 foot right-of-way dedication on all local roads during legislative applications.

Standard Whether the proposed Special Exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Analysis The proposed Special Exception use would both provide jobs and encourage economic development activities: the child care center would provide jobs, and having access to child care supports economic development activities.

Standard Whether the proposed special exception considers the needs of agriculture, industry and businesses in future growth.

PLANNING COMMISSION PUBLIC HEARING
SPEX 2009-0005, Harvard Junior Preschool
OCTOBER 27, 2010

- Analysis The proposed use considers the needs of business by providing child care for parents who work.
- Standard Whether adequate on and off-site infrastructure is available.
- Analysis The site will be served by public water and sewer and is located on an existing public street.
- Standard Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.
- Analysis The proposed use is not expected to produce any negative odors.
- Standard Whether the proposed Special Exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.
- Analysis Construction traffic can access the site without impacting existing neighborhoods and school areas.

VI. ATTACHMENTS	PAGE NUMBER
1. Review Agency Comments	
a. Planning, Comprehensive Planning	A-1
b. Building and Development, Zoning Administration	A-11
c. Building and Development, Environmental Review Team	A-15
d. Office of Transportation Services	A-19
e. Virginia Department of Transportation	A-35
f. Loudoun Water	A-37
g. Health Department	A-39
h. Parks, Recreation, and Community Services	A-41
i. Fire and Rescue Services	A-43
2. Disclosure of Real Parties in Interest	A-45
3. Applicant's Statement of Justification	A-51
4. Applicant's Response to Referral Comments	A-59
5. Special Exception Plat	Follows A-85

This page is intentionally left blank.

County of Loudoun
Department of Planning
MEMORANDUM

DATE: May 11, 2010

TO: Sophia Fisher, Project Manager
Land Use Review

FROM: Kelly Williams, Planner
Community Planning

SUBJECT: SPEX 2009-0005 – Harvard Junior Preschool, 2nd Referral

BACKGROUND

The applicant, Navneen K. Sandhu, has submitted a Special Exception application to permit a child care center/preschool serving up to 110 children in the R-2 (Residential) zoning district. The existing single family house and outbuildings will be removed and replaced with a 2 story, 9,400 square foot child care facility. The site contains approximately .78 acres and is located on the north side of Waxpool Road approximately 300 feet east of the intersection with Ashburn Road.

This is the second submission of the application. The applicant has responded to first submission comments by providing a response letter and a revised Special Exception Plat dated April 6, 2010. This referral is intended to be supplementary to Community Planning's June 23, 2009 referral. The applicant is proposing four new modifications to the zoning ordinance requirements in order to address comments made in the first referral process.

OUTSTANDING ISSUES

As stated in the first referral, child care centers are appropriate uses within residential communities of the Suburban Policy Area because they will provide support services and local employment opportunities to the surrounding residents.

The applicant has provided information to address the environmental, site design, and transportation issues of the proposal as identified below.

Forest, Trees, and Vegetation

In the first referral, staff recommended that the application be revised to show the required buffer yards and to provide more detailed information on the types of plantings proposed. There is limited vegetation on-site which consists of a few trees predominately

along the western property line. The site is overgrown with invasive vegetation which does not lend any value to the development. More appropriate vegetation could be planted in the buffer yards required by the Zoning Ordinance.

In the second submittal, the applicant is proposing modifications to the buffers yards which will further limit the amount of landscaping required along the property lines. However, the applicant has proposed to relocate the required landscaping to other buffer areas within the site. Additionally, fencing is been provided to screen the parking and play area from adjacent properties.

This issue has been resolved provided commitments are made to protect the proposed areas of landscaping.

Site Access

The applicant has revised the site design to provide access to the site from Shellhorn Road rather than from Waxpool as originally proposed. This is in keeping with Community Planning's and the Office of Transportation Service's recommendation.

This issue is resolved.

Landscaping

In response to the first referral, the application has been revised to provide more detailed information regarding the plantings and fencing proposed in order to mitigate the effects of noise, lighting and traffic on the adjacent residences. With this application the applicant is proposing several modifications to the Zoning Ordinance requirements to reduce the buffer yards along the property lines. With the modification request, the applicant has provided additional landscaping and fencing to mitigate the impact to adjacent properties.

The proposed playground has been relocated away from existing residential uses and is to be buffered by landscaping and fencing. The property adjacent to the playground is currently vacant land zoned R-2, Residential. In this location, the applicant proposes to reduce the required buffer from 20 feet to 12 feet, however additional landscaping has been provided. The proposed fencing and associated buffering should be adequate to mitigate impacts to the adjacent property should it be developed with residential uses.

Staff finds that the proposed fencing and landscaping around the parking and play area will provide adequate mitigation to the surrounding uses.

Lighting & Signage

The second submittal of this plan included detailed information on signage and lighting as recommended in the first referral. It appears that the proposed signage is in keeping with the Zoning Ordinance and the materials proposed will match the architecture of the building. Lighting is proposed to be shielded and provided in accordance with the zoning ordinance requirements.

This issue is resolved.

Architecture

The architectural design appears to be in keeping with the design objectives of the Retail Plan as outlined in the first referral. The application has been revised to remove the note that the proposed building elevations are for “illustrative purposes only” thereby providing commitment to the proposed building size, massing and materials.

This issue is resolved. Staff recommends a condition of approval committing to the proposed elevations be made to ensure that the design will be achieved when the site is developed.

Bicycle and Pedestrian

All land development applications are to provide bicycle, pedestrian, and transit access linkages to the County Bicycle and Pedestrian Network (*Bike/Ped Plan, Chapter 4, Land Development Policies, policy 5*). Developments should enhance bicycle and pedestrian mobility throughout the County with attention to mobility both within a site and between adjacent sites (*Bike/Ped Plan, Chapter 4, Land Development Policies, policies 3, 5, 6, & 7*).

Pedestrian and bicycle linkages have not been provided in this application. Bicycle and pedestrian facilities are designated in this location in the Bike/Ped Plan and should be accommodated on site.

Staff acknowledges that there are no existing sidewalks along Waxpool Road and Shellhorn Road, and therefore recommends that right-of-ways for sidewalks be provided on this property. Further, commitments should be made to construct the sidewalks on-site as adjacent properties are developed.

RECOMMENDATIONS

The proposed day care center in general is consistent with the policies of the Revised General Plan and the Retail Plan for retail development within residential areas. However, prior to approval, the issues related pedestrian and bicycle access should be addressed. Commitments should be made to the overall site and building design, including landscaping, signage and lighting.

cc: Julie Pastor, AICP, Planning Director
John Merrithew, AICP, Assistant Planning Director

County of Loudoun
Department of Planning
MEMORANDUM

DATE: June 23, 2009

TO: Nicole Steele, Project Manager
Land Use Review

FROM: Kelly Williams, Planner *K-500*
Community Planning

SUBJECT: SPEX 2009-0005 – Harvard Junior Preschool

BACKGROUND

The applicant, Navneen K. Sandhu, has submitted a Special Exception application to permit a child care center/preschool serving up to 110 children in the R-2 (Residential) zoning district. The existing single family house and outbuildings will be removed and replaced with a 2 story, 9,400 square foot child care facility.

The site contains approximately .78 acres and is located on the north side of Waxpool Road approximately 300 feet east of the intersection with Ashburn Road. The property also has frontage on the south side of Shellhorn Road. (see Vicinity Map). According to the Statement of Justification, the proposed Special Exception would allow up to 110 children ranging in age from infant to 5 years to be served at this facility.

Vicinity Map



A review of the County's GIS records indicates that a small amount of forest cover is present on the subject property. There are no floodplains, steep slopes, or natural drainageways present. Because the site has already been developed, the archaeological survey required at checklist has been waived by the Director of the Planning Department.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the land use policies of the Revised General Plan. The Revised Countywide Transportation Plan (CPT), the Countywide Retail Policy Plan Amendment (Retail Plan), and the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply.

The proposed application has been reviewed under the Revised General Plan Suburban Policies of Chapter 6; the Green Infrastructure policies of Chapter 5 and the Design Guidelines in Chapter 11. The General Policies, Service Area-Based Retail Policies and the Retail Design guidelines of the Retail Plan were applied. Additionally, the policies of Chapters 3, 4 and 5 of the Bike/Ped Plan apply.

ANALYSIS

Land Use

The Revised General Plan identifies the subject site as suitable for Residential uses Chapter 7, *Planned Land Use Map*). The County's overall land-development strategy is to encourage compact, mixed-use developments that provide people with the opportunity to live, work, recreate and shop in a pedestrian-friendly environment (Revised General Plan, Chapter 5, Residential, text). The Plan envisions retail commercial and service uses to be an integral component of residential communities. In general, such uses should be located within the areas they serve and fulfill the routine daily and weekly shopping needs of neighborhood residents (*Retail Plan, Service Area - Based Retail Policies, General Policies, policies 1 and 2*).

Child care centers are appropriate uses within residential communities because they will provide support services and local employment opportunities to the surrounding residents. The proposed site is located in an area that is predominately residential with a small retail commercial center located directly east of the parcel. Staff requests additional information and/or commitments to ensure that the proposed center will be compatible with its surroundings given that the property is located adjacent to existing residential uses. The Plan envisions that residential neighborhoods will have a peaceful character suitable for private domestic life (Revised General Plan, Chapter 11, Design Guidelines, Residential Neighborhoods, text). A larger-scale center serving many children and generating a large amount of noise, traffic, etc. may require mitigation measures. Staff notes that the Revised 1993 Loudoun County Zoning Ordinance requires all child care facilities to comply with the County and State Codes regarding number of employees and the amount of indoor and outdoor space required per child.

Staff finds that a child care center could be an appropriate use of the property.

Existing Conditions

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive, and active resources that are integrated into a related system. The County uses integrated management strategies for the Green Infrastructure to ensure that all land use planning and development respect and preserve the holistic nature of the elements of the Green Infrastructure (*Revised General Plan, Chapter 5, Green Infrastructure Policies, policy 2*). The County's GIS records and a visit to the site reveals that limited forest cover and trees are present on the subject property. There are no floodplains, steep slopes, or natural drainage ways present.

Forest, Trees, and Vegetation

There is limited vegetation on-site which consists of a few trees predominately along the western property line. The site is overgrown with invasive vegetation which does not lend any value to the development. More appropriate vegetation could be planted in the bufferyards required by the Zoning Ordinance. However, it is unclear from the application if the buffers can be accommodated along the eastern and western boundaries as the proposed parking extends to the property line.

Staff recommends that the application be revised to show the required buffer yards and to provide more detailed information on the types of plantings proposed. Staff cannot fully evaluate the proposal until such information is received.

Stormwater Management

The County promotes water conservation through low impact development (LID) techniques which integrate hydrologically functional designs with methods for preventing pollution (*Revised General Plan, Chapter 5, Green Infrastructure, Surface Water Policies, policy 2*). LID approaches seek to control runoff discharge, volume, frequency, and quality in order to mimic predevelopment runoff conditions through a variety of small-scale design techniques.

Stormwater management has not been addressed in this application. Information should be provided regarding stormwater management and best management practices (BMPs) on site.

Staff recommends depicting how this development is addressing stormwater management in the Special Exception application. In addition, staff recommends the use of BMPs on site, such as a rain garden island. Staff defers to ERT regarding the most appropriate BMP for this site.

Site Design

Neighborhood retail uses are intended to serve immediate, convenience shopping needs, on a routine daily and weekly basis, within residential neighborhoods (*Retail Plan, Service Area-Based Retail, B, policy 2*). They are to be designed to mitigate the

impacts of parking, signs, lighting, waste storage, loading, and traffic on the adjacent uses (*Retail Plan, Service Area-Based Retail, B, policies 5 and 8*).

Site Access

Access to neighborhood retail and service uses will be provided by major or minor collector roadways at existing and planned median breaks, intersections or consolidated access points. Accessibility to the site will not conflict with residential vehicular and pedestrian traffic. (*Retail Plan, Service Area-Based Retail, B, policies 6, 7 and 8*). In order to help prevent strip commercial development, the site should be designed to minimize multiple entrances serving individual uses (*Retail Plan, General Retail Policies, policy 6*). This site is located next to a small retail center that has access to both Waxpool Road and to the cul-de-sac of Shellhorn Road. The access point for the retail center on Waxpool is very close to the proposed access to the childcare site. Having two access points for adjacent properties in this location is not consistent with the Retail Plan policies which seeks to limit multiple access points and to create a more unified design for retail and service uses in residential neighborhoods. Further, the Office of Transportation (OTS) has identified that a safer access to the site may be along Shellhorn Road rather than Waxpool Road.

Staff recommends that the applicant work with the Office of Transportation and Community Planning staff to determine the best access location for this site.

Landscaping

The Retail Plan calls for all buildings and parking areas to be sufficiently screened and buffered from adjoining residential areas by distance, transitional uses, landscaping and/or natural vegetation to mitigate the effects of noise, lighting and traffic on the surrounding residences (*Retail Plan, Design Guidelines, Landscaping and Buffering, policy 4*). The proposed day care center is located adjacent to residential uses and a small neighborhood commercial center.

The application provides a landscaping and buffer chart that indicates a 10 foot buffer is required along the eastern and western side yards and a 15 foot buffer along the northern property line. Upon review of the site design, it appears that the side yard buffers cannot be accommodated as the parking encroaches into that area. Further, no design details have been provided regarding the proposed fencing around the site and the playground.

The Retail Plan further specifies that landscaping will be provided in the parking areas to "reduce the visual impact, provide shade and reduce heat absorption of the parking area." (*Retail Plan, Design Guidelines, Landscaping and Buffering, policy 2*) Trees should line the street frontages in order to create a "green edge" along streets. (*Retail Plan, Design Guidelines, Landscaping and Buffering, policy 2*) The application proposes 6 trees located in the parking area. These trees in combination with the

required buffer yards along the property line may be sufficient to meet the landscaping objectives for parking areas as called for in the Retail Plan. However, staff cannot fully evaluate this issue until such time as more detailed information is provided on the required buffers.

Staff cannot fully evaluate the effectiveness of the buffers until more information is provided on how the application will accommodate the necessary buffer requirements. Staff requests detailed information regarding the plantings and fencing proposed in order to determine if the effects of noise, lighting and traffic on the adjacent residences will be mitigated.

Lighting & Signage

Lighting within retail areas should reduce glare and spillage of light onto adjoining properties and streets (*Retail Plan, Design Guidelines, Signs and Lighting, policy 1*). Further, signage should be developed as an integral part of the overall center design with a unified graphic design scheme (*Retail Plan, Design Guidelines, Signs and Lighting, policy 2*). No information on signage and lighting has been provided.

Given the site's close proximity to a residential area, a detailed lighting plan should be provided for review that includes information on lighting for the building, roadways, play areas and parking areas. Staff recommends shielding the proposed lights to reduce or, if possible, eliminate glare and light trespass on adjacent residential properties. Further, staff requests details regarding any proposed signage to ensure design compatibility with the development.

Architecture

The Retail Plan anticipates a high quality architectural design for proposed retail developments, including the provision of recesses and offsets to reduce the building massing; a preference for pitched, mansard, and other distinctive roof forms; the screening of rooftop and/or ground-mounted mechanical equipment; and the provision of measures to provide pedestrian weather protection, such as a continuous arcade (*Retail Plan, Building Placement and Design, Policies 6-9*). The special exception application materials include building elevations which propose a two story, pitched roof building with a brick front and horizontal siding along the rear and side facades. Windows have been provided along all sides of the building which results in a façade that incorporates features that avoid presenting a “blank side” to adjacent properties and reduces the massing of the building.

The architectural design appears to be in keeping with the design objectives of the Retail Plan. However, the application shows the elevations as illustrative only. Commitments should be made to ensure that the design will be achieved when the site is developed.

Bicycle and Pedestrian

All land development applications are to provide bicycle, pedestrian, and transit access linkages to the County Bicycle and Pedestrian Network (*Bike/Ped Plan, Chapter 4, Land Development Policies, policy 5*). Developments should enhance bicycle and pedestrian mobility throughout the County with attention to mobility both within a site and between adjacent sites (*Bike/Ped Plan, Chapter 4, Land Development Policies, policies 3, 5, 6, & 7*). The CTP states that all development proposal site plans will show safe, direct, and barrier-free pedestrian and bicycle circulation systems (*CTP, Chapter 2, Pedestrian and Bicycle Facilities Policies, policy 5*). All land development applications shall also include appropriate forms of bicycle parking (*Bike/Ped Plan, Chapter 4, Land Development Policies, policy 8*). On-site, pedestrian travelways that provide a safe route from the parking areas to the buildings via a demarcated pathway and directional signage should be provided (*Retail Plan, Design Guidelines, Circulation, Parking and Lighting, policy 1*).

Pedestrian and bicycle linkages have not been address in this application. Staff recommends that the application be revised to demonstrate compliance with the Bike/Ped Plan policies as outlined above.

RECOMMENDATIONS

The proposed day care center in general is consistent with the policies of the Revised General Plan and the Retail Plan for retail development within residential areas. However, prior to approval, the issues related to site design, stormwater management, landscaping, pedestrian and bicycle access, signage and lighting as outlined in this referral should be addressed and incorporated into the plan. Staff would be happy to meet with the applicant to discuss any comments or questions.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning, via e-mail

This page is intentionally left blank.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE: May 13, 2010

TO: Sophia Fisher, Project Manager

FROM: Brian Fish, Planner, Zoning Administration

CC: Mark Stultz, Deputy Zoning Administrator

CASE NUMBER AND NAME: SPEX-2009-0005, Harvard Junior Preschool – 2nd Submission

**TAX MAP/ PARCEL
NUMBER (MCPD):** 119-30-7673 /79////////11/

1. The applicant has requested a modification of Section 5-609(A)(5). Modification of any of the Additional Regulations for Specific Uses contained in Section 5-600 requires Minor Special Exception approval in accordance with the provisions of Section 6-1300.
2. The applicant has requested a modification of Section 5-609(B)(2)(b). Modification of any of the Additional Regulations for Specific Uses contained in Section 5-600 requires Minor Special Exception approval in accordance with the provisions of Section 6-1300.
3. The applicant has requested modifications to the required Buffer Yards on the east and west boundaries of the property. Landscaping and Buffer Yard requirements will be reviewed in detail when a Site Plan application has been received by the County; the applicant may request Buffer Yard modifications as a part of the Special Exception process.
4. Staff notes that any proposed signs are shown on the SPEX plat for locational purposes only. A separate Zoning Permit will be required for all signs.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: June 17, 2009

TO: Nicole Steele, Project Manager, Department of Planning

THROUGH: Mark Stultz, Deputy Zoning Administrator *MS*

FROM: Brian Fish, Planner, Zoning Administration *BFP*

CASE NUMBER AND NAME: SPEX-2009-0005 Harvard Junior Preschool

TAX MAP/PARCEL NUMBER: LCTM: /79/////////11/ **MCPI:** 119-30-7673

I. APPLICATION SUMMARY

Zoning staff has reviewed the above-referenced special exception (SPEX) application for conformance with the Revised 1993 Loudoun County Zoning Ordinance ("Zoning Ordinance"). The materials submitted for review of the application are those materials listed on the referral cover memo dated May 18, 2009.

The Applicant seeks approval of a special exception to permit a child care center pursuant to Section 3-203 of the Zoning Ordinance. The subject parcel contains approximately 1 acre and is zoned R-2 (Single Family Residential) under the Revised 1993 Loudoun County Zoning Ordinance.

The following issues have been identified and must be addressed in order for the application to be in conformance with the requirements of the Zoning Ordinance.

II. CONFORMANCE WITH ZONING ORDINANCE REGULATIONS

1. County records indicate the property is 1.0 acres in size. However, the Statement of Justification refers to the subject property as being "approximately 1 acre", and the SPEX plat states that the subject property is "0.7810 acres". Please clarify the actual size of the subject property.
2. The dumpster and dumpster enclosure depicted on Sheet 3 are not permitted to be located within a required yard. Please relocate the dumpster and dumpster enclosure.
3. **Section 5-609 Child Care Facilities.** Add all of the additional regulations pertaining to child care centers listed in Section 5-609 to Sheet 3. In addition, Staff has the following comments:

- i. **Section 5-609(A)(5)** requires a minimum of 75 square feet per child of outdoor play space. Please demonstrate that this requirement can be met. The minimum required amount of outdoor play space required for this application is 110 x 75 sq. ft per child = 8,250 sq. ft. Staff notes the proposed playground area shown on the SPEX plat is not of sufficient size to meet this requirement.
 - ii. **Section 5-609(B)(a)** requires that the enclosed play area is to be sited so that all persons entering the play area are within direct line of sight from the child care center classroom area. Demonstrate that this requirement can be met.
 - iii. **Section 5-609(B)(2)(b)** requires a designated pickup and delivery zone at a minimum of 1 parking space per 20 children. Staff notes that the pickup/delivery parking spaces required under Section 5-609(B)(2)(b) are in addition to the off-street parking spaces required under Section 5-1100; the pickup/delivery spaces may not be counted towards the parking required by Section 5-1100.
4. **Section 5-1400. Buffering and Screening.** Demonstrate compliance with this Section of the Zoning Ordinance by showing and labeling the required front, side and rear buffer yards, including their width, on the SPEX plat adjacent to the single family detached lots. No buildings or parking may be located within a required buffer yard. The north and south property lines must provide Type 2 front buffer yards. The property line on the east side of the property must provide a Type 1 side buffer yard, and the western property line must provide a Type 2 side yard.
5. **Section 6-701 Site Plan.** Staff notes that provided this application is approved by the County, a site plan must be applied for and approved for this use pursuant to Section 6-701.

III. ISSUES FOR CONSIDERATION

Section 6-1310.

1. (A) *Whether the proposed special exception is consistent with the Comprehensive Plan.* Zoning Staff defers to Community Planning in the Department of Planning regarding this issue.
2. (D) *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.* Please be advised that Section 5-1504 applies to the proposed use.
3. (F) *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.* Section 5-1400 applies to the proposed use and will be reviewed in detail during site plan review. However, the SPEX plat should demonstrate that the requirements can be met.

4. (J) *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.* Zoning defers to the Office of Transportation Services regarding this issue.

5. (K) *Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.* Please be advised that the proposed facility must meet all building code requirements.

IV. SPECIAL EXCEPTION PLAT ISSUES

1. On the Cover Sheet in General Note #1 and in the Site Data Tabulations, use Zoning Ordinance terms to describe the proposed use as a “child care center”, as opposed to stating “child care / preschool center.”
2. Please revise Sheet 1 to include the following property owner information:

Harkeerat & Jaskeerat Sandhu
43676 Waxpool Road
Ashburn, VA 20147-4533

Cc. Mark Stultz, Deputy Zoning Administrator

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: May 12, 2010

TO: Sophia Fisher, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Review Team

THROUGH: William Marsh, Environmental Review Team Leader

CC: Brian Fish, Zoning Planner
Kelly Williams, Community Planner, Department of Planning

SUBJECT: SPEX-2009-0005 Harvard Junior Preschool (2nd Submission)

The Environmental Review Team (ERT) has reviewed the revised application, including plat dated March 31, 2009, revised through April 6, 2010.

1. The applicant's responses state that pervious pavement will be used wherever possible in the parking lot and that a rain garden will be incorporated into the landscape buffer on the north side of the parking lot. Staff recommends that these measures be identified on the special exception plat and included as conditions of approval. Staff further recommends that a narrative be provided describing the stormwater quantity and quality approach for the proposed project. [Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) Section 6-1310(H)]
2. The zoning modification requests state that required landscaping for the reduced buffer yards will be relocated to other areas on the site. Given the limited space on the property, staff is concerned that there may not be adequate space for relocated plant material and future growth. To demonstrate a viable landscaping/buffering approach, staff recommends that an exhibit be provided identifying the proposed plant material in relation to the project layout. Staff also notes that the Landscaping/Buffering Requirements table on Sheet 3 contradicts the modification request letters as the table indicates that the project proposes less canopy, understory, and evergreen trees than required by the Revised 1993 LCZO. Based on the current information, staff does not support the modification request. [Revised 1993 LCZO Section 5-1414(B)]
3. The applicant's responses state that low-flow water fixtures and energy efficient lighting and HVAC systems will be used within the facility. Staff supports these design commitments. Loudoun County Public Schools also offers relevant experiences about designing for energy and water use efficiency in school settings, described at <http://cmsweb1.loudoun.k12.va.us/50910069104912/site/default.asp>.

Please contact me if you need additional information or have questions.


DEPARTMENT OF BUILDING AND DEVELOPMENT



COUNTY OF LOUDOUN

MEMORANDUM

DATE: June 10, 2009

TO: Brian Fish, Zoning Planner

FROM: Todd Taylor, Environmental Review Team 

THROUGH: Gary Clare, Chief Engineer 
William Marsh, Environmental Review Team Leader 

CC: Nicole Steele, Project Manager, Department of Planning
Kelly Williams, Community Planner, Department of Planning

SUBJECT: **SPEX-2009-0005**
Harvard Junior Preschool

The Environmental Review Team (ERT) reviewed the subject application during the June 8, 2009, ERT Meeting. Our comments pertaining to the current application are as follows:

Issues related to the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO):

1. No stormwater management (SWM)/best management practice (BMP) information is provided with this application. Pursuant to Section 6-1310(H) of the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO), the applicant must address whether the proposed special exception will impact water quality. Staff recommends identifying the stormwater quantity and quality approach for the proposed project in plan view as well as in a narrative. Given the limited space on the property, staff recommends that the applicant consider pervious parking (pervious concrete, pavers, etc.) and incorporating a green roof to reduce impervious cover.
2. The current proposal does not meet the required minimum side buffer yard widths. Please revise the plan to allow for the minimum widths to ensure adequate space for buffer yard vegetation. [Revised 1993 LCZO Section 5-1414(B)]

Issues related to the Revised General Plan (RGP):

3. The RGP supports a built design with this application that helps to sustain the natural environment. Accordingly, the County endorses design measures that conserve energy and water consumption, and improves air quality. RGP policies supporting

these design measures include policy one, page 2-20; policy two, page 2-23; and policy one, page 5-41.

Several design approaches are available to achieve these goals, including Leadership in Energy and Environmental Design (LEED) as administered by the United States Green Building Council; and Energy Star and Water Sense programs administered by the Environmental Protection Agency. Staff supports incorporation of these design approaches and is available to discuss design options with the applicant.

Please contact me if you need additional information or have questions.

This page is intentionally left blank.

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: June 30, 2010

TO: Sophia Fisher, Project Manager
Department of Planning

FROM: Marc Lewis-DéGrace, Transportation Planner *MLDG*

SUBJECT: **SPEX 2009-0005 Harvard Junior Preschool
Second Referral**

Background

This referral updates the status of issues identified in the first Office of Transportation Services (OTS) referral on this application (dated June 17, 2009). This Special Exception (SPEX) application proposes a 9,400 sq. ft childcare/preschool center in the Residential (R-2) zoning district. The site is located on Waxpool Road (Route 625) between Shellhorn Road (Route 643) and Ashburn Road (Route 641); access is proposed via a new site driveway accessing Shellhorn Road.

This update is based on a review of materials received from the Department of Planning on April 14, 2010, namely (1) a revised traffic study dated April 1, 2010 prepared by Wells + Associates, (2) a letter responding to first referral comments, dated April 6, 2010 prepared by the applicant, and (3) a special exception plat dated March 31, 2009 and revised through April 6, 2010 prepared by DRS Architecture.

Review of Applicant's Revised Traffic Study

The Applicant's most recent traffic study (dated April 1, 2010) replaces the previous (March 27, 2009) traffic study and reflects the change in the site entrance from Waxpool Road (Route 625) to Shellhorn Road (Route 643). This revised traffic study relied partially on two previous traffic studies for some of its background findings and assumptions. These studies are "Fairfield – Ryan's Corner Traffic Impact Study" dated November 3, 2008 prepared by Wells + Associates and "Traffic Impact Analysis for the Heritage Baptist Church", dated March 6, 2008 prepared by MCV Associates, Inc. Since the original traffic study, there have been changes to the road network that have affected trip assignments to and from the proposed site. The revised traffic study moved the proposed entrance from Waxpool Road (Route 625) to Shellhorn Road (Route 643). The revised study analyzed current and future (2015) traffic conditions in the area.

The proposed daycare facility was analyzed with other approved developments in the vicinity in light of their peak hour traffic impacts weekday AM and PM peak hours. Existing lane use, traffic control, levels of service (LOS) and traffic volumes are illustrated on **Attachment 1**. The traffic study focused on five (5) current and future intersections. These intersections are 1) Ashburn Road (Route 641) and Shellhorn Road (Route 643); 2) Waxpool Road (Route 625) and Ashburn Road (Route 641); 3) Waxpool Road (Route 625) and Shellhorn Road/Ryan Corner Place (Route 2174); 4) Shellhorn Road (Route 643) and Waxpool Road (Route 625); and 5) Shellhorn Road (Route 643) and the proposed site entrance. Relevant portions of the study are summarized below.

Existing Traffic Volumes and Levels of Service (LOS)

Existing peak hour LOS were estimated at the five (5) intersections based on counts taken in 2008 and existing lane usage and traffic control at that time. Under existing conditions all of the approaches operate at an acceptable LOS, except (1) the westbound approach on Waxpool Road at Ryan Corner Place / Shellhorn Road which operates at a LOS of F in the PM peak hour and (2) the northbound left turn from Shellhorn Road to westbound Waxpool Road which also operates at a LOS of F in the PM peak hour. Both approaches are stop controlled. Please note, as stated above, that Shellhorn Road no longer intersects with Waxpool Road.

Background Traffic Growth

Consistent with the assumptions found in the "Fairfield – Ryan's Corner" traffic study, this traffic study assumes a 1% annual regional growth rate. This growth rate was applied to all turning movements on Waxpool Road at the Ashburn Road and Shellhorn Road intersections. The revised traffic study states that "[r]ecent traffic data collected on Waxpool Road suggests that the travel demands have decreased since the traffic counts were collected in 2008, potentially due to other road connections in the area. Thus, the growth rate and counts provide a conservative estimate."

Trip Generation, Distribution & Assignment

The number of trips generated by the proposed use was calculated using the Institute of Transportation Engineers (ITE) 8th Edition, and independent data collected by Wells + Associates at a similar facility. The traffic study indicates that the proposed use will generate approximately 113 AM peak hour trips and 66 PM peak hour trips. Detailed trip generation information is illustrated in **Attachment 2**. The traffic study assumed that the traffic generated by the proposed use would match the existing commuter patterns in the area of the site during both the AM and PM peak hours. These assumptions are illustrated in **Attachments 3 and 4**.

Future (2015) Traffic Volumes and Levels of Service (LOS)

The traffic study indicates that the five (5) subject intersections will all operate at an acceptable LOS at the buildout of the proposed use in 2015. This will be accomplished due to proffered conditions by others. Future LOS values are illustrated in **Attachment 5**.

Transportation Comments

* Please note that the Applicant's 2nd Referral packet contained two response letters; 1) a letter prepared by Wells + Associates dated April 1, 2010 contained within the revised TIA dated April 6, 2010, and 2) a letter prepared by Naveen K. Sandhu dated April 2, 2010. There are differences between the two letters, and OTS chose to review the responses contained within the revised traffic study.

1. **Initial Staff Comment (1st Referral)**: Shellhorn Road has been terminated with a cul-de-sac immediately north of Waxpool Road. During a recent staff site visit, some vehicles were observed using the shopping center entrance at Shellhorn Road to cut through the business center to gain access to Waxpool Road. The proximity of this entrance to the proposed preschool entrance on Waxpool Road is a concern to OTS staff. OTS believes access via Shellhorn Road is a safer alternative. In the TIA, it is stated that this proposal was discussed with VDOT. Please describe the details/outcome of this meeting along with the VDOT point of contact.

Applicant's Response (April 1, 2010): The access to the property has been relocated to Shellhorn Road to address this comment.

Issue Status: Issue resolved.

2. **Initial Staff Comment (1st Referral)**: The TIA lists "Proffered improvements" by ZMAP 2008-0007, Fairfield at Ryans Corner, which is still under review and pending approval by the Planning Commission and Board of Supervisors. One of those improvements would be to widen Waxpool Road from two to four-lanes from Faulkner Parkway to Ashburn Road. OTS staff agrees with the TIA conclusion that an eastbound left-turn lane on Waxpool Road (Route 625) at the site is warranted for the year 2011. In the event that ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide the left-turn lane.

Applicant's Response (April 1, 2010): Since the access to the property has been relocated to Shellhorn Road, this comment is no longer applicable.

Issue Status: Issue resolved.

3. **Initial Staff Comment (1st Referral)**: The TIA also recommends the applicant to coordinate with the Fairfield at Ryan's Corner project to assess the potential viability of providing a separate left-turn lane to improve mobility on Waxpool Road and reduce potential conflicts. Please clarify the applicant's position on this recommendation.

Applicant's Response (April 1, 2010): Since the access to the property has been relocated to Shellhorn Road, this comment is no longer applicable.

Issue Status: Issue resolved.

4. Initial Staff Comment (1st Referral): The shopping center has a short taper to make a right-turn into their site. Has the applicant considered doing something similar? If ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide an analysis to verify if a taper is warranted. If warranted, the applicant ought to be responsible to provide it.

Applicant's Response (April 1, 2010): Since the access to the property has been relocated to Shellhorn Road, this comment is no longer applicable.

Issue Status: Issue resolved.

5. Initial Staff Comment (1st Referral): Please provide a cross section of existing Waxpool Road in front of the property on the plat for information purposes.

Applicant's Response (April 1, 2010): This information is provided by others.

Issue Status: Issue resolved.

6. Initial Staff Comment (1st Referral): According to the 2001 CTP, Waxpool Road will require 70 feet of right-of-way. The applicant needs to dedicate 35 feet of right-of-way from the centerline to the property line along the parcel.

Applicant's Response (April 1, 2010): This right-of-way has been dedicated. See information provided by others.

Issue Status: Issue not resolved. The revised plat does depict 35 feet of ROW dedicated for public street purposes on page 3 of 4. Additional ROW is necessary to accommodate a right-turn lane at Ashburn Road (Route 641). The Countywide Transportation Plan (CTP) states that additional ROW may be required to accommodate left- and right-turn lanes on Waxpool Road at major intersections. Please provide this additional ROW to accommodate CPAP 2010-0005 Fairfield at Ryan's Corner (*Attachment 6*). The Applicant should coordinate its development activities with Bowman Consulting Group, Ltd, et al. per CPAP 2010-0005.

7. Initial Staff Comment (1st Referral): Please clarify in the layout of the parking lot that SU-30 design/emergency vehicles can be accommodated.

Applicant's Response (April 1, 2010): This information is provided by others.

Issue Status: Issue resolved. The revised plat does depict a "SU-30 required 38' turn radlus" on page 3 of 4.

8. Initial Staff Comment (1st Referral): Please verify that the dimensions proposed for the entrance on Waxpool Road meet all the VDOT standards for commercial entrances.

Applicant's Response (April 1, 2010): The updated plan with the entrance relocated to Shellhorn Road will be designed to meet VDOT standards. (Plan provided by others).

Issue Status: Issue resolved.

9. Initial Staff Comment (1st Referral): Pedestrian access may be necessary along this parcel. Has the applicant considered providing a pedestrian facility in front of the property along Waxpool Road?

Applicant's Response (April 1, 2010): The recently developed property to the east did not dedicate any area for a future trail.

Issue Status: Issue not resolved. The 2003 Bike & Ped Plan classifies both Shellhorn Road and Waxpool Road as "baseline connecting roadways", along which bicycle and pedestrian facilities are envisioned. Consistent with this designation, the Applicant should at a minimum provide a ROW dedication for six-foot sidewalks along both Shellhorn Road and Waxpool Road. The CTP calls for four-lane roads to have a 10-foot trail and a sidewalk. Please note that CPAP 2010-0005 depicts a 10-foot trail along the south side of Waxpool Road.

10. Initial Staff Comment (1st Referral): Please provide documentation for the assumed 1.0 percent growth rate/year as set forth in the applicant's TIA being appropriate for the adjacent roads.

Applicant's Response (April 1, 2010): The 1.0 percent growth rate is consistent [with] other approved studies in the area, including the Fairfield at Ryan's Corner traffic report and the Heritage Baptist Church traffic study. In addition, recently collected traffic data on Waxpool Road indicates a slight reduction in through traffic. Thus, the use of the Fairfield at Ryan's Corner traffic information provides a conservative condition.

Issue Status: Issue resolved.

11. Initial Staff Comment (1st Referral): Please depict the AADT on Waxpool Road in front of the site (sheet 2 of 4).

Applicant's Response (April 1, 2010): The ADT's are provided by others on the updated plan.

Issue Status: Issue resolved. The AADT for Waxpool Road is depicted on the revised plat on Page 3 of 4.

Additional Comment

- 12.OTS concurs with the Virginia Department of Transportation's (VDOT) June 1, 2010 letter that recommended that the Applicant dedicate 25' ROW from the centerline of Shellhorn Road (Route 643), consistent with the property to the west.

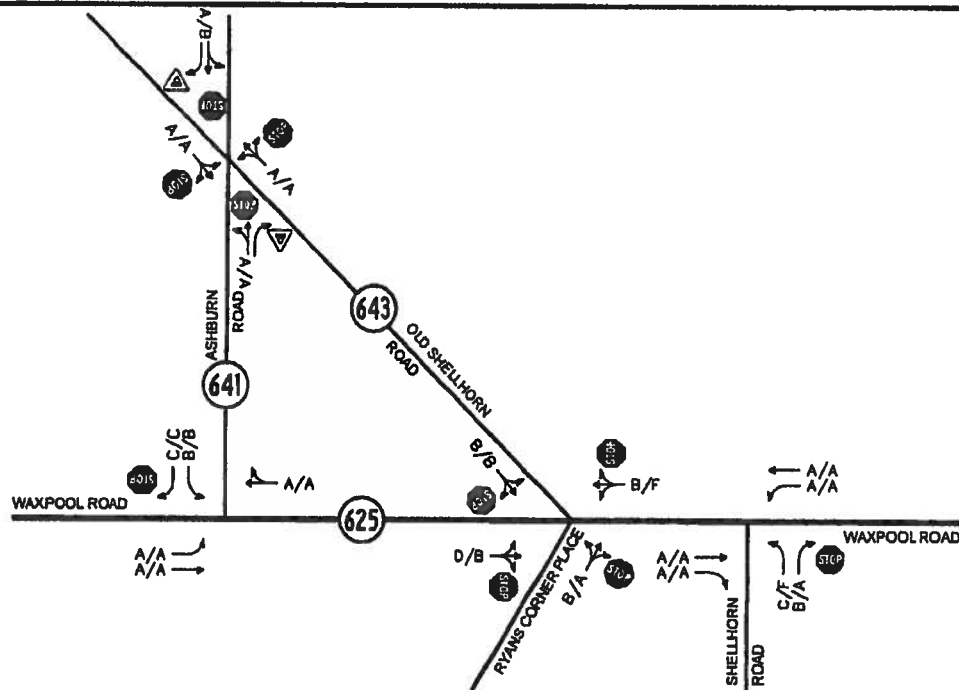
Conclusion

Subject to resolution of the comments listed above, OTS would have no objection to the approval of this application. Please note the supplemental comment above.

ATTACHMENTS

1. Existing Traffic Volumes and LOS
2. Site Trip Generation Analysis
3. Directional Distributions AM Peak Hour
4. Directional Distributions PM Peak Hour
5. Intersection Level of Service Summary
6. CPAP 2010-0005 – Sheet 6 of 18 (January 8, 2010 version)

cc: Andrew Beacher, Acting Director, OTS
Lou Mosurak, Senior Coordinator, OTS



Existing Lane use, Traffic Control, and Levels of Service

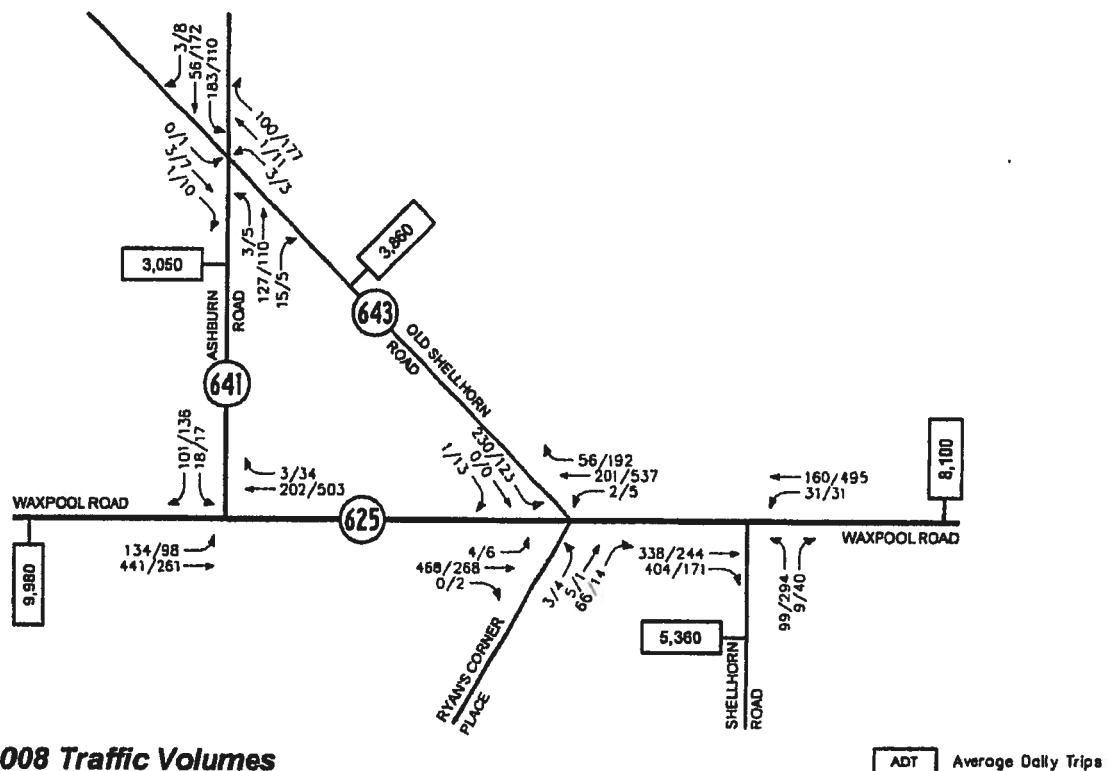


Figure 3
Existing Lane Use, Levels of Service,
and Traffic Volumes

- Represents One Travel Lane
- Signalized Intersection
- ⊙ Stop Sign
- X/X Individual Movement LOS

ATTACHMENT 1

H.J. Preschool
Loudoun County, Virginia

Wells + Associates, Inc.

Table 2
H. J. Preschool Special Exception
Site Trip Generation Analysis

Land Use	ITE Land Use Code	Size	Units	AM Peak Hour			PM Peak Hour ⁽²⁾			AM Peak Hour of the Generator			PM Peak Hour of the Generator			Average Daily Traffic
				In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Observed Trip Generation Holly Brook Montessori School (1)	N/A	105	Students	58	49	107	24	33	57	68	66	134	24	33	57	N/A
	Effective Observed Rate			0.55	0.47	1.02	0.23	0.31	0.54	0.65	0.63	1.28	0.23	0.31	0.54	N/A
	Directional Distribution			54%	46%	100%	42%	58%	100%	51%	49%	100%	42%	58%	100%	N/A
Proposed Development Based on Observed Rates Harvard Junior Private School (Rudolph)	NA	110	Students	61	52	113	25	34	59	72	69	141	25	34	59	N/A
Proposed Development Based on ITE Rates (2,3) Day Care Center (60 percent of total students) Private School K-8 (40 percent of total students)	565 534	66 44	Students Students	28 24	25 19	53 43	25 5	29 6	54 12	29 24	25 19	54 43	26 3	29 19	55 22	295 N/A
Total		110	Students	52	44	96	30	35	65	53	44	97	29	48	77	295
Trip Generation for Analysis				61	52	113	30	35	65							

Notes: (1) Based on traffic counts collected by Wells + Associates on Thursday, December 18, 2008.
(2) Traffic estimates based on Institute of Transportation Engineers (ITE) Trip Generation, Eighth Edition.
(3) PM Peak Hour based on Comparison of ITE rates & independent trip rates collected by Wells + Associates.

ATTACHMENT 2

Wells + Associates, Inc.
McLean, Virginia

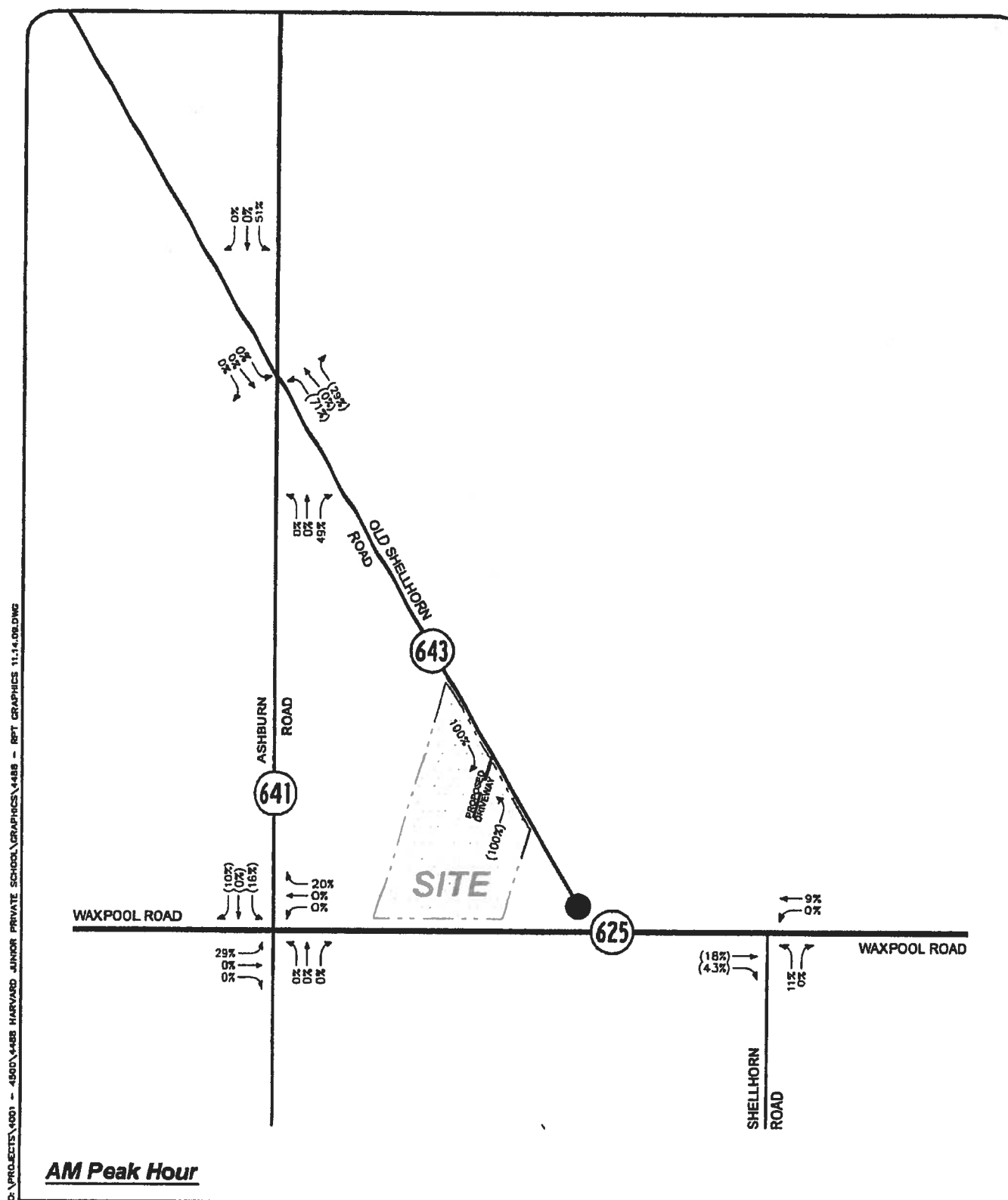


Figure 10
Directional Distributions AM Peak Hour

0% Inbound
(0%) Outbound



North

H J. Preschool
Loudoun County, Virginia

ATTACHMENT 3

Wells + Associates, Inc.

Q:\PROJECTS\1001 - 4500\4488 HARVARD JUNIOR PRIVATE SCHOOL\GRAPHICS\4488 - RPT GRAPHICS 11.14.06.DWG

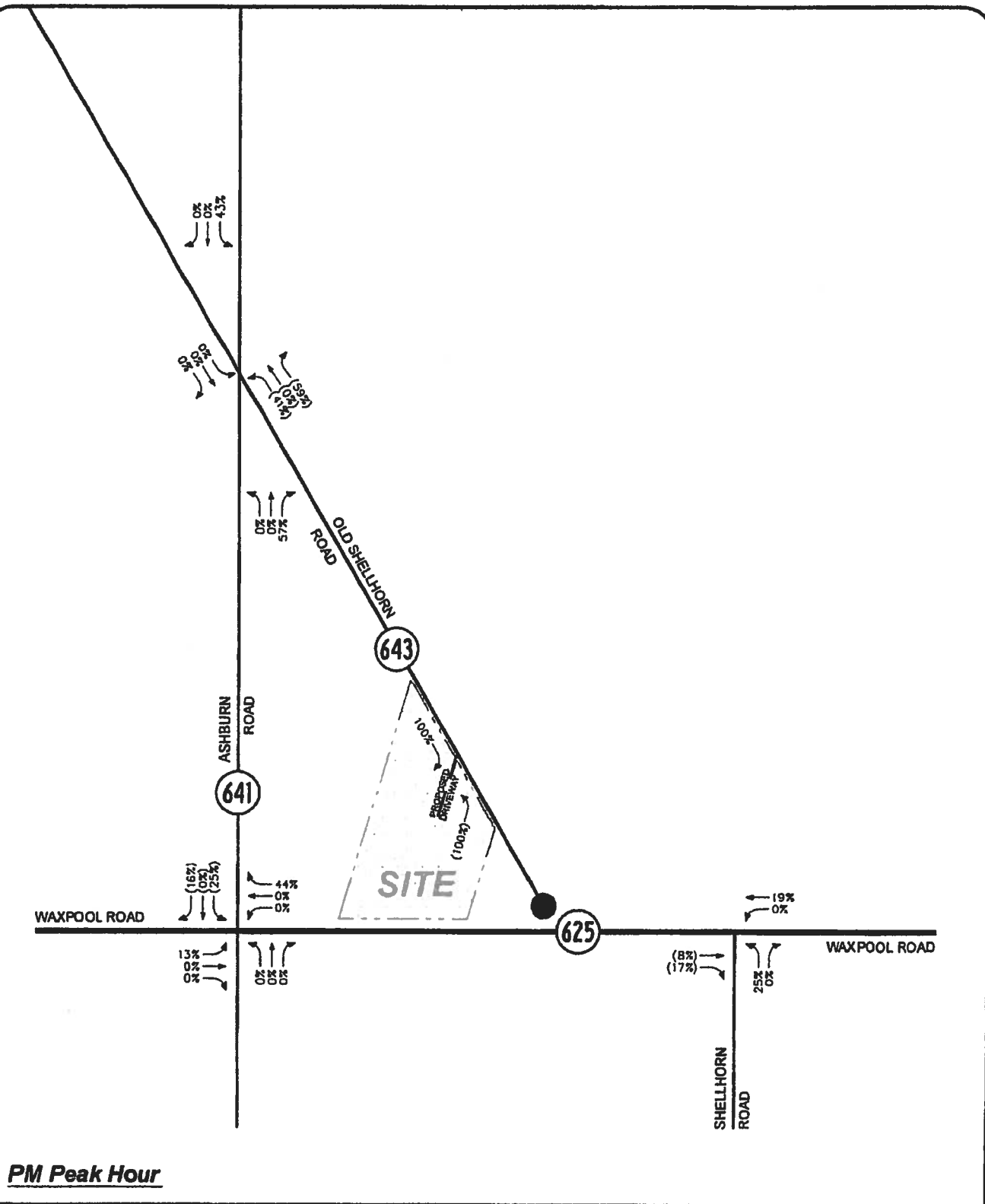


Figure 11
Directional Distributions PM Peak Hour

0% Inbound
(0%) Outbound



H J Preschool
Loudoun County, Virginia

ATTACHMENT 4



Wells & Associates, Inc.

Table 1
H. J. Preschool Special Exception
Intersection Levels of Service

			2008		2015								
Intersection	Intersection Control	Critical Movement	Existing		Approved Program		Proposed Program						
			AM	PM	AM	PM	AM	PM					
1. Ashburn Road (Route 641)/ Shellhorn Road (Route 643)	All-way Stop	NB	A [8.2]	A [8.7]	A [8.3]	A [8.5]	A [8.3]	A [8.4]					
		SB	A [9.6]	B [10.7]	A [9.4]	B [10.3]	B [10.3]	B [10.8]					
		EB	A [7.9]	A [8.1]	A [7.4]	A [7.7]	A [7.7]	A [7.8]					
		WB	A [8.0]	A [9.0]	A [7.7]	A [7.9]	A [8.6]	A [8.3]					
	Convert to a two-way stop for E-W approaches	NB	N/A		A [0.1]	A [0.8]	A [0.1]	A [0.9]					
		SB			A [0.9]	A [0.5]	A [1.7]	A [0.8]					
		EB			A [9.7]	B [10.5]	A [9.7]	B [10.6]					
		WB			B [10.0]	B [10.3]	B [12.8]	B [11.4]					
	2. Waxpool Road (Route 625)/ Ashburn Road	Stop Sign	EBL	A [8.0]	A [9.0]	N/A		N/A					
			SBL	C [21.4]	C [22.4]								
SBR			B [10.1]	B [14.4]									
Proffered Background Improvement: Install Signal Add EB and WB Thru-Lanes Add Separate WB Turn Lanes Add NB Fairfield Driveway		Signal	EBLTR	N/A		B (12.4)	A (9.6)	B (13.2)	B (11.5)				
			WBL			A (9.0)	A (8.3)	A (9.4)	A (9.6)				
			WBT			A (9.4)	A (9.3)	A (9.8)	B (10.8)				
			WBR			A (8.8)	A (7.7)	A (9.2)	A (9.0)				
			NBLT			C (21.0)	B (15.8)	C (23.1)	B (15.0)				
			NBR			B (18.3)	B (15.3)	B (19.9)	B (14.2)				
			SBLT			B (18.1)	B (12.5)	B (19.1)	B (14.7)				
			SBR			B (16.8)	B (12.1)	B (17.3)	B (14.1)				
			Overall			B (13.5)	B (10.1)	B (14.3)	B (11.7)				
			3. Waxpool Road (Route 625)/ Old Shellhorn Road/Ryans Corner Place Four-way Stop controlled Intersection (Existing)			Stop Sign	EBLTR	D [26.6]	B [12.4]	Intersection Removed		Intersection Removed	
							WBLTR	B [13.6]	F [50.1]				
NBLTR	B [10.4]	A [9.7]											
SBLTR	B [15.0]	B [11.8]											
4. Shellhorn Road (Route 643)/ Waxpool Road (Route 625)	Stop Sign	WBL	A [9.5]	A [8.3]	N/A		N/A						
		NBL	C [15.5]	F [65.6]									
		NBR	B [10.3]	A [9.8]									
	Proffered Background Improvement: Install Signal Add EB and WB Thru-Lanes	Signal	EBT	N/A		A (5.2)	A (6.8)	A (5.4)	A (7.1)				
			EBR			A (5.2)	A (6.6)	A (5.4)	A (6.9)				
			WBLT			A (4.9)	A (7.6)	A (5.1)	A (7.9)				
			NBL			A (7.2)	A (8.7)	A (7.2)	A (8.1)				
			NBR			A (6.5)	A (6.2)	A (6.5)	A (5.9)				
			Overall			A (5.5)	A (7.6)	A (5.6)	A (7.6)				
			5. Shellhorn Road (Route 643)/ H. J. Preschool Driveway			Stop Sign	EBLR	N/A		N/A		A [8.9]	A [9.0]
							SBTR					A [0.0]	A [0.0]
							NBLT					A [0.0]	A [0.0]

Notes:

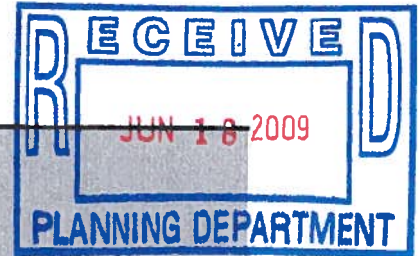
Based on Synchro 7 Reports

Numbers in parentheses () represent delay at signalized intersections in seconds per vehicle.

Numbers in square brackets [] represent delay at unsignalized intersections in seconds per vehicle.

Wells + Associates, Inc.
McLean, Virginia

A-30



County of Loudoun

Office of Transportation Services – MSC # 69

MEMORANDUM

DATE: June 17, 2009

TO: Nicole Steele, Project Manager, Department of Planning

FROM: Norah M. Ocel, E.I.T. Transportation Engineer, Office of Transportation Services (OTS) *NMO*

SUBJECT: **SPEX 2009-0005, Harvard Junior Preschool**
1st Submission

Location: North side of Waxpool Road (Route 625) between Shellhorn and Ashburn (Route 641) Roads.

Background

The applicant, Navneen K. Sandhu for Jaskeerat S. Sandhu, is requesting approval of a special exception for a 9,400 square foot childcare/preschool center in the R-2 zoning district of the Revised 1993 Zoning Ordinance. The applicant has submitted a plat, dated March 31, 2009, prepared by DRS Architecture Professional Limited Company, a statement of justification and a traffic impact analysis with the Traffic Study Guidelines checklist, dated March 27, 2009, from Wells + Associates.

The surrounding land uses are; to the North: Urban Single Family (R-2), to the South: Suburban Single Family/Vacant (R-16), to the East: Commercial/Industrial/Shopping Center (RC) and to the West: Urban Single Family/Vacant (R-2)

The OTS review of existing and planned transportation facilities references included the 2001 Revised Countywide Transportation Plan (CTP), the Land Subdivision and Development Ordinance (LSDO) and the Facilities Standard Manual (FSM).

According to the Traffic Impact Analysis (TIA) provided by Wells + Associates, the site anticipates the preschool to ultimately have an enrollment of 110 children, plus 16 teachers and administrative staff, which would generate approximately 113 AM and 66 PM weekday peak hour trips.

Existing, Planned and Programmed Roads

The proposed access to the site is via Waxpool Road, an existing two-lane facility with no shoulders along this parcel. There are right- and left-turn lanes on Waxpool Road at its intersection with Shellhorn Road (segment south of Waxpool Road).

According to the TIA, the segments of Waxpool Road close to the site currently carry annual average daily traffic (AADT) volumes ranging from 8,100 to 9,980 vehicles.

A review of County records (LMIS) indicates that Waxpool Road is approximately 21 feet in width within a 46-foot right-of-way in the vicinity of the site. The posted speed limit is 35 mph and there are no trails/sidewalks on the parcels adjacent to the site.

According to the CTP in Appendix 1, page A1-21, Waxpool Road is planned to be a four-lane, undivided, urban minor collector within a 70-foot right-of-way. Left- and right-turn lanes are required at major intersections and bicycle accommodations must be considered in the design, which may require additional right-of-way.

Transportation Comments

1. Shellhorn Road has been terminated with a cul-de-sac immediately north of Waxpool Road. During a recent staff site visit, some vehicles were observed using the shopping center entrance at Shellhorn Road to cut through the business center to gain access to Waxpool Road. The proximity of this entrance to the proposed preschool entrance on Waxpool Road is a concern to OTS staff. OTS believes access via Shellhorn Road is a safer alternative. In the TIA, it is stated that this proposal was discussed with VDOT. Please describe the details/outcome of this meeting along with the VDOT point of contact.
2. The TIA lists "Proffered improvements" by ZMAP 2008-0007, Fairfield at Ryans Corner, which is still under review and pending approval by the Planning Commission and Board of Supervisors. One of those improvements would be to widen Waxpool Road from two to four-lanes from Faulkner Parkway to Ashburn Road. OTS staff agrees with the TIA conclusion that an eastbound left-turn lane on Waxpool Road (Route 625) at the site is warranted for the year 2011. In the event that ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide the left-turn lane.

3. The TIA also recommends the applicant to coordinate with the Fairfield at Ryan's Corner project to assess the potential viability of providing a separate left-turn lane to improve mobility on Waxpool Road and reduce potential conflicts. Please clarify the applicant's position on this recommendation.
4. The shopping center has a short taper to make a right-turn into their site. Has the applicant considered doing something similar? If ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide an analysis to verify if a taper is warranted. If warranted, the applicant ought to be responsible to provide it.
5. Please provide a cross section of existing Waxpool Road in front of the property on the plat for information purposes.
6. According to the 2001 CTP, Waxpool Road will require 70 feet of right-of-way. The applicant needs to dedicate 35 feet of right-of-way from the centerline to the property line along the parcel.
7. Please clarify in the layout of the parking lot that SU-30 design/emergency vehicles can be accommodated.
8. Please verify that the dimensions proposed for the entrance on Waxpool Road meet all the VDOT standards for commercial entrances.
9. Pedestrian access may be necessary along this parcel. Has the applicant considered providing a pedestrian facility in front of the property along Waxpool Road?
10. Please provide documentation for the assumed 1.0 percent growth rate/year as set forth in the applicant's TIA being appropriate for the adjacent roads.
11. Please depict the AADT on Waxpool Road in front of the site (sheet 2 of 4).

Conclusion

The Office of Transportation Services (OTS) will provide a recommendation once the applicant addresses all of our comments. Based on the Applicant's responses, OTS may have additional comments on subsequent submissions of this application.

CC. Andrew Beacher, Assistant Director, OTS
George Phillips, Senior Transportation Planner, OTS
Charles Acker, Transportation Operation Engineer, OTS

SPEX 2009-0005 Harvard Junior Preschool



ATTACHMENT 1. Vicinity Map

Data obtained from LMS records (June 2000)



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

GREGORY A. WHIRLEY
ACTING COMMISSIONER

June 1, 2010

Ms. Sophia Fisher
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Harvard Junior Preschool
Loudoun County Application Number SPEX 2009-0005

Dear Ms. Fisher:

We have reviewed the above application as requested in your April 13, 2010 transmittal (received April 19, 2010). Our June 26, 2009 comments have been addressed except as follows:

1. Right of way should be dedicated along the Route 643 frontage of this property to 25' from centerline, consistent with the site to the west.
2. Entrance dimensions on the final site plan shall conform to VDOT *Road Design Manual* Appendix F. See Figure 4-11 on page F-100 for guidance. These standards require larger radii but lesser width than is depicted on this plan.

If you have any questions, please call me at (703) 383-2424.

Sincerely,

Thomas B. VanPoole, P.E.
Senior Transportation Engineer

ATTACHMENT 1e



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

June 26, 2009



Ms. Nicole Steele
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Harvard Junior Preschool
Loudoun County Application Number SPEX 2009-0005

Dear Ms. Steele:

We have reviewed the above application as requested in your May 18, 2009 transmittal. We offer the following comments:

1. Right of way should be dedicated along the Route 625 frontage of this property, to 35' from the existing centerline plus any additional right of way needed for bicycle and pedestrian facilities consistent with the Loudoun County *Countywide Transportation Plan*.
2. Right of way should be dedicated along the Route 643 frontage of this property to 25' from centerline.
3. The entrance should be set back with the face of curb 26' from the centerline of Route 625 to be consistent with the ultimate four-lane undivided typical section recommended by the Loudoun County *Countywide Transportation Plan*.
4. Per the applicant's traffic study, an eastbound left turn lane appears to be warranted with both the existing two-lane and the ultimate four-lane typical sections of Route 625.

If you have any questions, please call me at (703) 383-2424.

Sincerely,

Thomas B. VanPoole, P.E.
Senior Transportation Engineer

VirginiaDot.org
WE KEEP VIRGINIA MOVING

April 27, 2010

Ms. Sophia Fisher
Department of Planning
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, VA 20177-7000

Re: SPEX-2009-0005; Harvard Junior Preschool

Dear Ms. Fisher:

Loudoun Water has reviewed the referenced Special Exception application. Loudoun Water could provide public water and sanitary sewer service to this site through extension of existing facilities. The following comments are offered for your use:

1. Change labeling of existing water main to "existing 20" water line."
2. Provide 10' (outside to outside) horizontal separation between water main and sanitary sewer.
3. Show location of proposed fire hydrant.
4. Provide 15' horizontal separation between proposed sanitary sewer and building walls.

Public water and sanitary sewer service would be contingent upon the developer's compliance with Loudoun Water's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Should you have any questions, please contact me.

Sincerely,



Julie Atwell
Engineering Administrative Specialist

June 19, 2009

Ms. Nicole Steele
Department of Planning
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

Re: **SPEX-2009-0005; Harvard Junior Preschool**

Dear Ms. Steele:

Loudoun Water has reviewed the referenced Special Exception application and could provide public water and sanitary sewer service to this site through extension of existing facilities. The following comments are offered for your use:

- Show location of existing water and sanitary sewer facilities.
- Show conceptual/preliminary layout of proposed water and sanitary sewer facilities.
- Extend sanitary sewer and easement to the adjacent parcel (pin 119-30-7083).

Public water and sanitary sewer service would be contingent upon the developer's compliance with Loudoun Water's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Julie Atwell
Engineering Administrative Specialist



Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000



Environmental Health
Phone: 703 / 777-0234
Fax: 703 / 771-5023

Community Health
Phone: 703 / 777-0236
Fax: 703 / 771-5393

21 May 2009

MEMORANDUM TO: Nicole Steele, Project Manager
Department of Planning, **MSC 62**

FROM:

Matthew D. Tolley
Sr. Env. Health Specialist
Division of Environmental Health, **MSC 68**



SUBJECT: **SPEX 2009-0005; Harvard Junior Preschool**
LCTM: 79/11 (PIN 119-30-7673)

The Health Department recommends approval of this application. The proposed development will utilize public water and sewer. The Health Department would encourage the applicant to make application for free abandonment permits for the existing hand-dug well and septic tank now. The actual abandonment would not have to take place until later in the development process. The plat reviewed was prepared by DRS Architecture and was dated 31 March 2009.

Attachments Yes ___ No X



If further information or clarification on the above project is required, please contact Matt Tolley at 771-5248.

MDT/JEL/mt
c:subdvgd.ref

This page is intentionally left blank.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Nicole Steele, Project Manager, Planning Department (MSC #62)
From:  Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)
Through:  Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, PROS Board, Chairman, Catoclin District
Jean Ault, PROS Board, Vice-Chairman, Dulles District
Robert C. Wright, PROS Board, Open Space Member
James E. O'Connor, PROS Board, Open Space Member
Date: June 12, 2009
Subject: **SPEX 2009-0005** **Harvard Junior Preschool**
Election District: Dulles **Sub Planning Area:** Ashburn
MCPI #: 119-30-7673



PRCS has reviewed the referenced application, and offers no objection to its approval based on the material provided.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

This page is intentionally left blank.



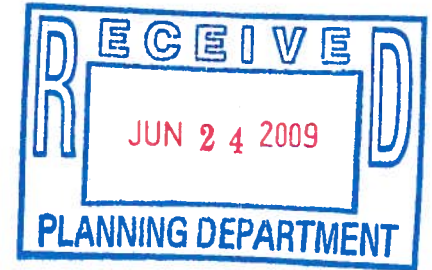
LOUDOUN COUNTY, VIRGINIA
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Nicole Steele, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: June 22, 2009
Subject: Harvard Junior Preschool
SPEX 2009-0005



Thank you for the opportunity to review the above captioned application. The Fire and Rescue Planning Staff, in agreement with the Fire Marshal's Office, has no objection to the application as presented.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Moorefield Public Safety Center Travel Time
119-30-7673	Harvard Junior Preschool	2 minutes, 9 seconds (temp) 1 minute, 38 seconds (perm)

Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

Project name	Moorefield Public Safety Center Response Times
Harvard Junior Preschool	4 minutes, 9 seconds (temp) 3 minutes, 38 seconds (perm)

If you have any questions or need additional information, please contact me at 703-777-0333.

c: Project file

Teamwork * Integrity * Professionalism * Service

ATTACHMENT 1

A-43

This page is intentionally left blank.

I, Navneen K. Sandhu, do hereby state that I am an

 Applicant

X Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPEX 2008

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

<i>PIN</i>	<i>NAME</i> <i>(First, M.I., Last)</i>	<i>ADDRESS</i> <i>(Street, City, State, Zip Code)</i>	<i>RELATIONSHIP</i> <i>(Listed in bold above)</i>
119-30-7673-000	JASKEERAT S. SANDHU	22550 BEECHDROP DR. ASHBURN, VA 20148	/OWNER
119-30-7673-000	HARKEERAT SANDHU	22550 BEECHDROP DR. ASHBURN, VA 20148	OWNER
119-30-7673-000	NAVNEEN K. SANDHU	22550 BEECHDROP DR. ASHBURN, VA 20148	APPLICANT
119-30-7673-000	DWIGHT STONEROOK	DRS ARCHITECTURE PLC 704 CLAIRMONT CT. NE LEESBURG, VA 20176	ARCHITECT/AGENT

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

☐ ____ There are additional Real Parties in Interest. *See Attachment to Paragraph C-1.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

DRS ARCITECTURE PLC
704 CLAIRMONT CT. NE
LEESBURG, VA 20176

Description of Corporation:

 X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of Shareholders:

SHAREHOLDER NAME <i>(First, M.I., Last)</i>	SHAREHOLDER NAME <i>(First, M.I., Last)</i>
DWIGHT STONEROOK (MEMBER)	

Names of Officers and Directors:

NAME <i>(First, M.I., Last)</i>	Title <i>(e.g. President, Treasurer)</i>
DWIGHT STONEROOK	MANAGER

Check if applicable:

___ There is additional Corporation Information. *See Attachment to Paragraph C-2.*

3. **PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

___ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)

Check if applicable:

___ Additional Partnership information attached. *See Attachment to Paragraph C-3.*

4. **ADDITIONAL INFORMATION**

- a. One of the following options **must** be checked:

 In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

 X Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

 Additional information attached. *See Attachment to Paragraph C-4(a).*

- b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

Check if applicable:

 Additional information attached. *See Attachment to Paragraph C-4(b).*

- c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state).

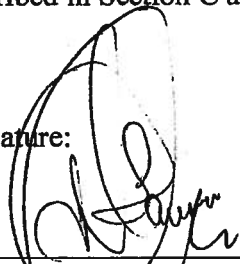
Check if applicable:

 Additional information attached. *See Attachment to Paragraph C-4(c).*

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

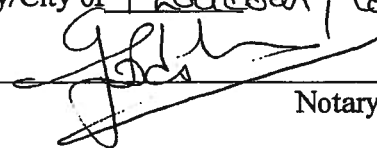


check one: ☒ Applicant or ☐ Applicant's Authorized Agent

Narveen K. Sandhu

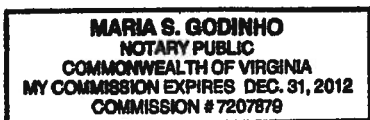
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 25th day of February 2009 in
the State/Commonwealth of Virginia, in the County/City of Loudoun / Leesburg.



Notary Public

My Commission Expires: 12/31/2012



HARVARD JUNIOR PRESCHOOL
SPECIAL EXCEPTION APPLICATION
STATEMENT OF JUSTIFICATION

PROPERTY OVERVIEW AND LOCATION

Jaskeerat S. Sandhu and Harkeerat S. Sandhu (the “**Owners**”) are the current owners of the property located at Waxpool Rd, Ashburn, VA; 300 feet east of intersection with Ashburn Rd (the “**Property**”) having acquired the property in January 2009. The property is approximately 1 acre, is zoned R-2 and is more particularly described as MCPI number: 119-30-7673-000. The property has frontage on Waxpool Rd and is in the Dulles Election District. Land uses surrounding the property are current and planned residential uses consistent with the R-2 zoning district regulations with an exception of a convenience store adjacent to the property.

The property is flat in nature, generally devoid of vegetation, except along the perimeter of the property, there are no evergreen trees with calipers of 14 inches or greater or deciduous trees of 22 inches or greater, contains no floodplain or wetlands. The property is developed with a single story, single family house that has a floor area of approximately 1,064 square feet. The existing single family house and outbuildings will be demolished and properly disposed of per Loudoun County Regulations.

Prior to the owner’s acquisition in 2009, the property was the site of an abandoned single family house with huge amount of debris and trash accumulated, which is currently present on site.

PREPOSED SPECIAL EXCEPTION USES

The Applicant proposes to use the Property for Preschool/Child care program for ages, Infant to 5 years. A special exception is requested per revised 1993 Loudoun County Zoning Ordinance Section 3-203 (s) to allow for the development of a child care / preschool centre. The entire property is subject to this special exception. The development will conform to current

Loudoun County, LCSA and the Virginia Department of Transportation standards and specifications.

The Applicant anticipates that the preschool use will have an ultimate enrollment of 110 children, plus 16 teachers and administrative staff per the requirements. Due in part to the strong demand for Preschool / Child Care programs in this location, the Applicant intend to start the construction of the facility as soon as the permission is granted and all the requirements and responsibilities are fulfilled.

COMPREHENSIVE PLAN COMPLIANCE

The Property is located within R2 Zoned area and the proposed Special exception is consistent with the Comprehensive Plan. The requested use is permitted under Section 3-203 (S) under Revised 1993 Zoning Ordinance.

SUMMARY

The proposed preschool and child care uses will meet the high demand for such services in the Dulles South area of the County the Application is consistent with the Revised General Plan and Comprehensive Plan. The requested use will serve the local public with the highest possible standards in Education. This will meet the strong demand of Affordable Preschool/Child care in the Dulles South area of the County. The Applicant respectfully requests favorable consideration of the Application by the staff, the Planning Commission and the Board of Supervisors.

SPECIAL EXCEPTION MATTERS OF CONSIDERATION
Revised 1993 Zoning Ordinance Section 3-203 (S)

(A) Whether the proposed special exception is consistent with the Comprehensive Plan.

- Proposed Special exception is consistent with the Comprehensive Plan. Preschool / Childcare is permitted under Section 3-203 (S) under Revised 1993 Zoning Ordinance.

B) Whether the proposed special exception will adequately provide for the safety from fire hazards and have effective measure of fire control.

- The proposed special exception will provide emergency vehicles access to all part of the site, in the event of a fire hazard

C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

- The property adjacent to the site is already being operated under the State Use Classification: COMMERCIAL/INDUST. There will be minimal, if any, increase in noise from the site that will impact the immediate area.

D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

- No additional glare or light will be generated from the site. The school operating hours are during daylight. Only the Signage at the school building and the lighting Entrance will be operated at night time. None of the Neon lights or glare producing Signage will be used on the site.

E) Whether the proposed use is compatible with the existing or proposed used in the neighborhood and adjacent parcels.

- The proposed use of a school is compatible with the proposed uses in the neighborhood. Currently there is a mix of residential and business
- F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.
- Sufficient landscaping will be provided along the property lines. Existing trees and vegetation is extremely old and is in unstable condition. It will be removed and replaced with new trees to provide canopy and screening on the proposed site. Moreover, adjacent property towards the east of the site, is Zoned as RC and a Commercial Building, Convenience Store, Ryan Centre, LLC., is been operated. Adjacent property towards the west is owned and managed by Paragon Homes, Inc, and is not being used for residential purposes for number of years (PRE-APP for SPEX – RETAIL USE, has already been initiated by Paragon). Property towards the South of the proposed side is in the late stages of ZMAP for 500 odd residential units, known as Fairfield Corner.
 - None of the adjacent properties are used as residences.
- G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archeological or historic feature of significant importance.
- The site contains no archeological, scenic, or historic landmarks that must be preserved. The existing house on the site is an old house with no historic features. Huge amount of gravel, debris is currently dumped on the site.
- H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including ground water) or air quality.
- A pervious, gravel drop-off area is being proposed to ensure that the existing groundwater quality and existing environmental habitat of the site is not impacted.
- I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

- The proposed special exception is for the school, which will promote the welfare of the public. It will serve and contribute to the convenience of the residents of the area. There is an immense need for an affordable and quality Preschool in the area. Harvard Junior will serve the community in the utmost manner to bring the best education to the children and satisfaction of best child care for the parents.
- J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.
- The assumed traffic to be generated by the school will not greatly impact the current traffic patterns and will be adequately served by existing roads and pedestrian connections. However, Rt. 625, Waxpool Rd. will most likely be a four lane highway, helping the proposed site further
- K) Whether in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.
- This section is not applicable. The existing building is extremely old and will be removed.
- L) Whether the proposed special exception will be served adequately by essential public facilities and services.
- The proposed school will be adequately served by public sewer and water.
- M) The effect of the proposed special exception on groundwater supply.
- The proposed development will have no effect on the ground water supply.
- N) Whether the proposed use will affect the structural capacity of the soils

- The proposed development will not affect the structural capacity of the soils. NO problem soils were located on this site, per the Loudoun County Mapping System

O) Whether the proposed use will negatively impact orderly and safe road development and transportation.

- The proposed development will not affect orderly and safe road development and transportation. The proposed increase in the traffic is minimal and the surrounding roads have the capacity to account for the increase in traffic.

P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

- The proposed development is consistent with the Comprehensive Plan and will encourage economic development activities. To support and help run the Preschool 16 permanent employees will be hired. 2-3 Temporary employees will also be hired per the need/requirements for the smooth running of the concern

Q) Whether the proposed special exception considers the needs of agriculture, industry, and business in future growth.

- The property is currently specified as residential. The neighborhood is a mix of commercial and residential. The school is consistent with the comprehensive plan.

R) Whether adequate on and off-site infrastructure is available.

- Adequate onsite infrastructure will be provided for the proposed development. A proper building and floor prints have been submitted with the SPEX Application. Adequate Parking and access point will be provided.

S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

➤ No odors will be generated by any uses on the site.

T) Whether the proposed special exception uses sufficient measure to mitigate the Impact of construction traffic on existing neighborhoods and school areas.

➤ The impact of construction on the existing neighborhood will be minimal. Proper and required measures will be taken to mitigate the impact of construction traffic on existing neighborhood. There are no existing schools around the site.

This page is intentionally left blank.

NAVNEEN K. SANDHU, JD., LL.M.
22550 Beechdrop Dr.
Ashburn, Virginia 20148
571.230.4635
Navneen.sandhu@gmail.com

September 13, 2010

Ms. Sophia Fisher, Project Manager
Department of Planning
County of Loudoun
1 Harrison Street, SE, 3rd Floor
Leesburg, VA 20177

Re: SPEX-2009-0005 Harvard Junior Preschool

Dear Ms. Fisher:

The following are our responses to the referral agency comments. The responses to comments are found on the pages indicated below:

<u>Referral Agency</u>	<u>Page</u>
1. Virginia Department of Transportation Letter dated June 26, 2009	3
2. Loudoun Water Letter dated June 19, 2009	4
3. Zoning Administration Memorandum dated June 17, 2009	5
4. Community Planning Memorandum dated June 23, 2009	6-7
5. Office of Transportation Services Memorandum dated June 17, 2009	8-10
6. Environmental Review Team Memorandum dated June 10, 2009	11
Addendum - A.....	12
<u>SPEX 2009-2008, Harvard Junior Preschool, Minor Special Exception Request</u>	
Addendum - B.....	13
<u>SPEX 2009-2005, Harvard Junior Preschool, Parking Space Modification Request</u>	
Addendum - C.....	14

SPEX 2009-2005, Harvard Junior Preschool, Type II Buffer Yard along Waxpool
Road be reduced to 7 Feet

Applicant: Navneen K. Sandhu

Signature: _____

Sophia Fisher, Project Manager
September 13, 2010
Page 3

Virginia Department of Transportation
Letter dated June 1, 2010
From Thomas B. VanPoole, P.E.

1. Right of way should be dedicated along the Route 643 frontage of this property to 25' from centerline, consistent with the site to the west.

Response: The Applicant requests the Department to reconsider the Right of Way dedication from 25' to 15'. The reasons for this request are as following:

- The Commercial property (The Convenience Store and Shops) towards the east side of this property has dedicated 15'
- Shellhorn Road is no longer a through street as a cul-de-sac has been recently added. Office of Transportation and VDOT plans do not appear to show this changing in the future.
- With 35' dedication on Waxpool road, various buffer requirements and building setbacks, much of the useable land has been lost. With any further dedication this property will be left for very limited commercial usage, and hence not viable for the intended usage.

2. Entrance dimensions on the final site plan shall conform to VDOT *Road Design Manual* Appendix F. See Figure 4-11 on page F-100 for guidance. These standards require larger radii but lesser width than is depicted on this plan.

Response: The Applicant concurs to this request.

Sophia Fisher, Project Manager
September 13, 2010
Page 4

Loudoun Water
Letter dated April 27, 20010
from Julie Atwell, Engineering Administrative Specialist

1. Change labeling of existing water main to "existing 2"- water line

Response: These have been added to the plats on sheets 2 & 3

2. Show conceptual/preliminary layout of proposed water and sanitary sewer facilities.

Response: These have been shown on sheet 3

3. Extend sanitary sewer and easement to the adjacent parcel (pin 119-30-7083)

Response: This has been added to the plat on sheet 3

Zoning Administration

Memorandum dated June 17, 2009
From Brian Fish, Planner, Zoning Administration

1. The applicant has requested a modification of Section 5-609(A)(5). Modification of any of the Additional Regulations for Specific Uses contained in Section 5-600 requires Minor Special Exception approval in accordance with the provisions of Section 6-1300.

Response: As per the Zoning requirement, Minor Special Exception Request has been made with this response.

2. The applicant has requested a modification of Section 5-609(B)(2)(b). Modification of any of the Additional Regulations for Specific Uses contained in Section 5-600 requires Minor Special Exception approval in accordance with the provisions of Section 6-1300.

Response: As per Mr. Fish's recommendation, the requirement for Minor Special Exception had been nullified for this particular section. A modification request has been attached with the response.

3. The applicant has requested modifications to the required Buffer Yards on the east and west boundaries of the property. Landscaping and Buffer Yard requirements will be reviewed in detail when a Site Plan application has been received by the County; the applicant may request Buffer Yard modifications as a part of the Special Exception process.

Response: The Applicant concurs with the Zoning Administration.

4. Staff notes that any proposed signs are shown on the SPEX plat for locational purposes only. A separate Zoning Permit will be required for all signs.

Response: The Applicant understands the requirement and concurs.

Community Planning
Memorandum dated May 11, 2010
From Kelly Williams, Planner

1. Forest, Trees, and Vegetation

In the first referral, staff recommended that the application be revised to show the required buffer yards and to provide more detailed information on the types of plantings proposed. There is limited vegetation on-site which consists of a few trees predominately along the western property line. The site is overgrown with invasive vegetation which does not lend any value to the development. More appropriate vegetation could be planted in the buffer yards required by the Zoning Ordinance.

In the second submittal, the applicant is proposing modifications to the buffers yards which will further limit the amount of landscaping required along the property lines. However, the applicant has proposed to relocate the required landscaping to other buffer areas within the site. Additionally, fencing has been provided to screen the parking and play area from adjacent properties.

Issue Status: Issue has been resolved provide commitments are made to protect the proposed areas of landscaping.

Response: Applicant commits to protect the proposed areas of landscaping.

2. Site Access – Issue Resolved

3. Landscaping – Issue Resolved

4. Lighting & Signage – Issue Resolved

5. Architecture

The architectural design appears to be in keeping with the design objectives of the Retail Plan as outlined in the first referral. The application has been revised to remove the note that the proposed building elevations are for “illustrative purposes only” thereby providing commitment to the proposed building size, massing and materials.

Issue Status: Issue resolved. Staff recommends a condition of approval committing to the proposed elevations be made to ensure that the design will be achieved when the site is developed.

Response: Applicant commits to the condition.

Sophia Fisher, Project Manager
September 13, 2010
Page 7

6. Bicycle and Pedestrian

All land development applications are to provide bicycle, pedestrian and transit access linkages to the County Bicycle and Pedestrian Network (Bike/Ped Plan, Chapter 4, Land Development Policies, Policy 5). Developments should enhance bicycle and pedestrian mobility throughout the county with attention to mobility both within a site and between adjacent sites.

Response: 6' Sidewalk has been dedicated and shown on the plat, page 3.

Office of Transportation Services
Memorandum dated June 17, 2009
From George Norah M. Ocel

Comments 1 – 5: Outstanding Issues from 1st Referral resolved

1. Shellhorn Road has been terminated with the cul-de-sac immediately north of Waxpool Road. During a recent staff visit, some vehicles were observed using the shopping center entrance at Shellhorn Road to cut through the business center to gain access to Waxpool Road. The proximity of this entrance to the proposed preschool entrance on Waxpool Road is a concern to the OTS staff. OTS believes access via the Shellhorn Road is a safer alternative. In the TIA, it is stated that this proposal was discussed with VDOT. Please describe the details/outcome of this meeting along with VDOT point of contact.

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

2. The TIA lists “Preferred improvements” by ZMAP 2008-0007, Fairfield at Ryans Corner, which is still under review and pending approval by the Planning Commission and Board of Supervisors. One of those improvements would be to widen Waxpool Road from two to four-lanes from Faulkner Parkway to Ashburn Road. OTS staff agrees with the TIA conclusion that an eastbound left-turn lane on Waxpool Road (Route 625) at the site is warranted for the year 2011. In the event that ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide the left-turn lane.

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

3. The TIA also recommends the applicant to coordinate with the Fairfield at Ryan’s Corner project to assess the potential viability of providing a separate left-turn lane to improve mobility on Waxpool Road and reduce potential conflicts. Please clarify the applicant’s position on this recommendation.

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

4. The shopping center has a short taper to make a right-turn into their site. Has the applicant considered doing something similar. If ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide an analysis to verify if a taper is warranted. If warranted, the applicant ought to be responsible to provide it.

Sophia Fisher, Project Manager
September 13, 2010
Page 9

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

5. Please provide a cross section of existing Waxpool Road in front of the property on the plat for information purposes.

Response: Applicant acknowledges staff's comment. Two cross sections have been added to sheet 2 of 4.

6. According to the 2001 CTP, Waxpool Road will require 70 feet of right-of-way. The applicant needs to dedicate 35 feet of right-of-way from the centerline to the property line along the parcel.

Response: Applicant acknowledges staff's comment Dedication has been made per the provision.

Issue Status: Issue not resolved. The revised plat does depict 35 feet of ROW dedicated for public street purposes on page 3 and 4. Additional ROW is necessary to accommodate a right-turn lane at Ashburn Road (Route 641). The Countrywide Transportation Plan (CTP) states that additional ROW to accommodate CPAP 2010-0005 Fairfield at Ryan's Corner. The Applicant should coordinate its development activities with Bowman Consulting Group, Ltd, et al. per CPAP 2010-0005.

Response: Drawings prepared by Bowman Consulting Group dated 6-17-10 and submitted to the County no longer depict a west bound right turn land onto Ashburn Road.

7. Please clarify in the layout of the parking lot that SU-30 design/emergency vehicles can be accommodated.

Response: Applicant acknowledges staff's comment. The turning radius has been depicted on the special exception plat – sheet 3 of 4

Issue Status: Issue Resolved

8. Please verify that the dimensions proposed for the entrance on Waxpool Road meet all the VDOT standards for commercial entrances.

Response: The access to the proposed development has been moved to Shellhorn Road per Office of Transportation Service's suggestion. The entrance requirements for the entrance comply with VDOT standards and the width has been noted

Issue Status: Issue Resolved.

Sophia Fisher, Project Manager
September 13, 2010
Page 10

9. Pedestrian access may be necessary along this parcel. Has the applicant considered providing a pedestrian facility in front of the property along Waxpool Road/

Response: The recently developed property to the east did not dedicate any area for a future trail. See previous responses above

Issue Status: Issue not Resolved. The 2003 Bike & Ped Plan classifies both Shellhorn Road and Waxpool Road as “baseline connecting roadways”, along which bicycle and pedestrian facilities are envisioned. Consistent with this designation, the Applicant should at a minimum provide a ROW dedication for six-foot sidewalks along both Shellhorn Road and Waxpool Road. The CTP calls for four-lane roads to

Sophia Fisher, Project Manager
September 13, 2010
Page 10

have a 10-foot trail and a sidewalk. Please note that CPAP 2010-0005 depicts a 10-foot trail along the south side of Waxpool Road.

Response: ROW dedication of 6-foot sidewalks on Waxpool Road and Shellhorn Road provided and depicted on the plat.

10. Please provide documentation for the assumed 1.0 percent growth rate/year as set forth in the applicant's TIA being appropriate for the adjacent roads.

Response: This comment has been addressed in Traffic Study.

Issue Status: Issue resolved

11. Please depict the AADT on Waxpool Road in front of the site.

Response: Applicant acknowledges staff's comment. The trip information has been added to the plat on sheet 3 of 4.

**Environmental Review Team
Memorandum dated 12th May, 2010**

From Todd Taylor

The applicant's responses state that pervious pavement will be used wherever possible in the parking lot and that a rain garden will be incorporated into the landscape buffer on the north side of the parking lot. Staff recommends that these measures be identified on the special exception plat and included as conditions of approval. Staff further recommends that a narrative be provided describing the storm water quantity and quality approach for the proposed project. [Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) Section 6-1310(H)]

Response: Shown on the plat (page 3) and narrative provided as suggested (page 1).

1. The zoning modification requests state that required landscaping for the reduced buffer yards will be relocated to other areas on the site. Given the limited space on the property, staff is concerned that there may not be adequate space for relocated plant material and future growth. To demonstrate a viable landscaping/buffering approach, staff recommends that an exhibit be provided identifying the proposed plant material in relation to the project layout. Staff also notes that the Landscaping/Buffering Requirements table on Sheet 3 contradicts the modification request letters as the table indicates that the project proposes less canopy, understory, and evergreen trees than required by the Revised 1993 LCZO. Based on the current information, staff does not support the modification request. [Revised 1993 LCZO Section 5-1414(B)]

Response: An exhibit demonstrating a viable landscaping/buffering approach attached with this submittal. Required changes have been made on Sheet 3. Please refer to Landscaping/buffering Requirements table on Sheet 3.

The applicant's responses state that low-flow water fixtures and energy efficient lighting and HVAC systems will be used within the facility. Staff supports these design commitments. Loudoun County Public Schools also offers relevant experiences about designing for energy and water use efficiency in school settings,

September 13, 2010

SPMI 2009-2008, Harvard Junior Preschool, Minor Special Exception Request

I am writing on behalf of the owners of the property (PIN: 119-30-7673), Jaskeerat Sandhu & Harkeerat Sandhu, to request an Outdoor Play area modification on the above referenced project.

We are requesting a Minor Special Exception to modify the Zoning Ordinance Section 5-609 (A) (5). We kindly request that the required 75 square feet of outdoor play area per child be based on 75 square per child per play session, rather than based on Total Occupancy of the building. This definition would match the requirements of the Commonwealth of Virginia, Department of Social Services "Standards for licensed child day centers"(22 VAC 15-30 380 (E)).

The Outdoor play area required by the zoning ordinance greatly exceeds the area required by the Commonwealth of Virginia Department of Social Services "Standards for Licensed Child Day Centers" dated November 8, 2008. The space available for play area is greatly reduced due to narrowness of the site and to R.O.W. dedications.

The Business Plan for the Center proposes that no more than 40 children (2 classes) would use the playground at the same time. The currently shown playground, at 75 S.F. per child, provides area for 66 children. The current building size also allow for a 700 S.F. Multipurpose room which would allow for indoor play.

This project is aiming at providing quality education and Curriculum to the children of the neighborhood. In addition to the outdoor area we are also providing an inside Multi-purpose room which will have various activities and play structures for the children.

September 13, 2010

SPEX 2009-2005, Harvard Junior Preschool, Parking Space Modification Request

I am writing on behalf of the owners of the property (PIN: 119-30-7673), Jaskeerat Sandhu & Harkeerat Sandhu, to request a Outdoor Play area modification on the above referenced project.

We are requesting a modification to the Zoning Ordinance Section 5-609 (B) (2) (b). We request that the required parking spaces in the designated pickup and delivery zone be counted as part of the required parking stipulated in Table 5-1102.

In addressing County and VDOT comments, the site layout has been revised to Provide ingress/egress by way of Shellhorn Rd. in lieu of Waxpool Rd. The building has been reconfigured to accommodate that change and to provide a playground that better monitored from the building (per County Request). A 35 foot right of way, dedication of 6 feet for a future sidewalk and sanitary sewer easement have been provided along Waxpool Rd.

A 6 foot dedication for a future sidewalk has been provided along Shellhorn Rd. All of these factors have greatly reduced the area left for parking. The enrollment size of the school is based on what is financially viable for the site. Off-site parking is available but it still does not make up for the losses due to the restrictions above.

We thank you for your time and consideration in granting this request and the opportunity to meet with the Zoning Office staff concerning this modification request. If you have any further questions, please feel free to contact me.

September 13, 2010

SPEX 2009-2005, Harvard Junior Preschool, Type II Buffer Yard along Waxpool Road be reduced to 7 Feet

I am writing on behalf of the owners of the property (PIN: 119-30-7673), Jaskeerat Sandhu & Harkeerat Sandhu, to request a Outdoor Play area modification on the above referenced project.

We are requesting a modification to the Zoning Ordinance Section 5-1414(B). We kindly request that the required Type II Buffer Yard along Waxpool Road be reduced to 7 feet.

The proposed plan has already been revised to provide ingress/egress onto Shellhorn Rd. rather than Waxpool rd. A 35 foot Right of Way has been dedicated along with Waxpool Rd. in addition to 6 feet for a future sidewalk and approximately 10 feet for sewer line easement reducing what at one time had been a 15 foot buffer. The adjoining property to the East only provides a 5 foot buffer and does not provide any trees in the buffer yard along Waxpool Rd.

NAVNEEN K. SANDHU, JD., LL.M.
22550 Beechdrop Dr.
Ashburn, Virginia 20148
571.230.4635
Navneen.sandhu@gmail.com

April 6, 2010

Ms. Sophia Fisher, Project Manager
Department of Planning
County of Loudoun
1 Harrison Street, SE, 3rd Floor
Leesburg, VA 20177

Re: SPEX-2009-0005 Harvard Junior Preschool

Dear Ms. Fisher:

The following are our responses to the referral agency comments. The response to comments re found on the pages indicated below:

<u>Referral Agency</u>	<u>Page</u>
1. Virginia Department of Transportation Letter dated June 26, 2009	2
2. Loudoun Water Letter dated June 19, 2009	3
3. Zoning Administration Memorandum dated June 17, 2009	4-6
4. Community Planning Memorandum dated June 23, 2009	7-9
5. Office of Transportation Services Memorandum dated June 17, 2009	10-11
6. Environmental Review Team Memorandum dated June 10, 2009	12
7. Division of Environmental Health Letter dated May 21, 2009	13

Applicant: Name: Navneen K. Sandhu

Signature: _____

Sophia Fisher, Project Manager
March 29, 2010
Page 2

Virginia Department of Transportation
Letter dated June 26, 2009
From Thomas B. VanPoole, P.E.

Comment 1. Right of way should be dedicated along the Route 625 frontage of this property, to 35' from the existing centerline plus any additional right of way needed for bicycle and pedestrian facilities consistent with the Loudoun County *Countywide Transportation Plan*.

Response: Applicant acknowledges Staff's comment. 35 Feet dedicated – Sheet 3

Comment 2. Right of way should be dedicated along the Route 643 frontage of this property to 25' from centerline.

Response: The applicant proposes to provide 15-feet of right-of-way that is consistent with other adjacent properties. This area is sufficient to provide the site driveway entrance and easement for a future sidewalk to be provided with adjacent development. In addition, this portion of Shellhorn Road is terminated south of the site and functions as a local road with limited traffic activity.

Comment 3. The entrance should be set back with the face of curb 26' from the centerline of Route 625 to be consistent with the ultimate four-lane undivided typical section recommended by the Loudoun County *Countywide Transportation Plan*.

Response: The updated plan shows the proposed design and location of the driveway on Shellhorn Road rather than Waxpool Road.

Comment 4. Per the applicant's traffic study, an eastbound left turn lane appears to be warranted with both the existing two-lane and the ultimate four-lane typical sections of Route 625.

Response: Since the access to the property has been relocated to Shellhorn Road, this comment is no longer applicable

Sophia Fisher, Project Manager
March 29, 2010
Page 3

Loudoun Water
Letter dated June 19, 2009
from Julie Atwell, Engineering Administrative Specialist

Comment 1. Show location of existing water and sanitary sewer facilities
Response: These have been added to the plats on sheets 2 & 3

Comment 2. Show conceptual/preliminary layout of proposed water and sanitary sewer facilities.
Response: These have been shown on sheet 3

Comment 3. Extend sanitary sewer and easement to the adjacent parcel (pin 119-30-7083)
Response: This has been added to the plat on sheet 3

Sophia Fisher, Project Manager
March 29, 2010
Page 4

Zoning Administration
Memorandum dated June 17, 2009
From Brian Fish, Planner, Zoning Administration

Comment 1. County records indicate the property is 1.0 acres in size. However, the Statement of Justification refers to the subject property as being "approximately 1 acre", and the SPEX plat states that the subject property is "0.7810 acres". Please clarify the actual size of the subject property.

Response: The actual size of the property is 0.7810 acres. A professional survey has been performed on the property after the purchase.

Comment 2. The dumpster and dumpster enclosure depicted on Sheet 3 are not permitted to be located within a required yard. Please relocate the dumpster and dumpster enclosure

Response: Applicant acknowledges staff's comment. The dumpster has been deleted from the plat

Comment 3. **Section 5-609 Child Care Facilities.** Add all of the additional regulations pertaining to child care centers listed in Section 5-609 to Sheet 3.

Response: Applicant acknowledges staff's comment.

(a) **Section 5-609(A)(5)** requires a minimum of 75 square feet per child of outdoor play space. Please demonstrate that this requirement can be met. The minimum required amount of outdoor play space required for this application is 110 x 75 sq. ft per child = 8,250 sq. ft. Staff notes the proposed playground area shown on the SPEX plat is not of sufficient size to meet this requirement.

Response: The applicant requests a code modification to permit the play area size to be based on 75 square feet per child per play session as required in the Commonwealth of Virginia Department of Social Services "Standards of Licensed Child Day Centers". The play area is not intended to be used by all students at one time. The maximum number of students utilizing the playground at one time would not exceed 50 students. The proposed play area is 5,430 square feet. There will also be 1,450 square feet of play area in the proposed multi-purpose room which can be used during inclement weather. See sheet 3 of 4 for modification requests.

(b) **Section 5-609(B)(a)** requires that the enclosed play area is to be sited so that all persons entering the play area are within direct line of sight from the child care center classroom area. Demonstrate that this requirement can be met.

Response: The building footprint has been altered to allow for direct lines of site from the administration area and classroom areas. See Special Exception plat on sheet 3 of 4

(c) **Section 5-609(B)(2)(b)** requires a designated pickup and delivery zone at a minimum of 1 parking space per 20 children. Staff notes that the pickup/delivery parking spaces required under Section 5-609(B)(2)(b) are in addition to the off-street parking spaces required under Section 5-1100; the pickup/delivery spaces may not be counted towards the parking required by Section 5-1100.

Response: The applicant requests a code modification to allow the required parking spaces in the designated pickup and delivery zone be counted as part of the total required parking stipulated in Table 5-1102. There is no section in the zoning ordinance stating that the designated pickup and delivery spaces are in addition to the total spaces required in Table 5-1102. See sheet 3 of 4 for modification requests.

Comment 4. Section 5-1400. Buffering and Screening. Demonstrate compliance with this Section of the Zoning Ordinance by showing and labeling the required front, side and rear buffer yards, including their width, on the SPEX plat adjacent to the single family detached lots. No buildings or parking may be located within a required buffer yard. The north and south property lines must provide Type 2 front buffer yards. The property line on the east side of the property must provide a Type 1 side buffer yard, and the western property line must provide a Type 2 side yard.

Response: A chart has been added to sheet 3 of 4 outlining the required and provided buffer yards. The applicant requests that the type 2 buffer yard on the west side of the property be reduced from 20 to 12 feet in width beside the building and reduced to 3 feet alongside the parking lot. The applicant also requests that that the required type 1 buffer yard on the east side of the property be reduced from 10 feet to 3 feet alongside the parking lot. See sheet 3 of 4 for modification requests.

Comment 5. Section 6-701 Site Plan. Staff notes that provided this application is approved by the County, a site plan must be applied for and approved for this use pursuant to Section 6-701.

Response: Prior to development of the property, a site plan will be submitted for and approved per Section 6-701. See general note 19 on sheet 1 of 4.

Comment 6. Section 6-1310

(D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area. Please be advised that Section 5-1504 applies to the proposed use

Response: General Note 5 on sheet 1 of 4 states that the site lighting will comply with Section 5-1504. Proposed parking lot lighting shown on sheet 3 of 4

(F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses. Section 5-1400 applies to the proposed use and will be reviewed in detail during site plan

review. However, the SPEX plat should demonstrate that the requirements can be met.

Response: A chart has been added to sheet 3 of 4 outlining the required and provided buffer yards and landscaping. See response to Comment 4 above

(J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services. Zoning defers to the Office of Transportation Services regarding this issue

Response: The traffic study has been updated to reflect the current site plan. It indicates that the roadways serving the site will safely and adequately accommodate the traffic generated by the facility.

(K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County. Please be advised that the proposed facility must meet all building code requirements.

Response: All existing structures will be demolished. New facility will be built as per the building code requirements. See general note 23 on sheet 1 of 4.

Comment 9. On the Cover Sheet in General Note #1 and in the Site Data Tabulations, use Zoning Ordinance terms to describe the proposed use as a “child care center”, as opposed to stating “child care / preschool center.”

Response: Revised as suggested

Comment 10. Please revise Sheet 1 to include the following property owner information:

Harkeerat & Jaskeerat Sandhu
43676 Waxpool Road
Ashburn, VA 20147-4533

Response: Revised as suggested

Community Planning
Memorandum dated June 23, 2009
From Kelly Williams, Planner

Comment 1. Compliance with Comprehensive Plan

- (a) The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the land use policies of the Revised General Plan, the Revised Countywide Transportation Plan (CPT), the Countywide Retail Policy Plan Amendment (Retail Plan), and the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply

Response: The recently developed property to the east did not dedicate any area for a future trail and therefore any trail or walkway could not continue to the east. Right of way for Waxpool Road has already been dedicated and any further dedications or easement will reduce the usable area for development of this property even further.

- (b) The proposed application has been reviewed under the Revised General Plan Suburban Policies of Chapter 6; the Green Infrastructure policies of Chapter 5 and the Design Guidelines in Chapter 11. The General Policies, Service Area-Based Retail Policies and the Retail Design guidelines of the Retail Plan were applied. Additionally, the policies of Chapters 3, 4 and 5 of the Bike/Ped Plan apply.

Response: Please see above

Comment 2. The proposed site is located in an area that is predominately residential with a small retail commercial center located directly east of the parcel. Staff requests additional information and/or commitments to ensure that the proposed center will be compatible with its surroundings given that the property is located adjacent to existing residential uses.

Response: Applicant commits to staff's request.

Comment 3. The Plan envisions that residential neighborhoods will have a peaceful character suitable for private domestic life (Revised General Plan, Chapter 11, Design Guidelines, Residential Neighborhoods, text). A larger-scale center serving many children and generating a large amount of noise, traffic, etc. may require mitigation measures. Staff notes that the Revised 1993 Loudoun County Zoning Ordinance requires all child care facilities to comply with the County and State Codes regarding number of employees and the amount of indoor and outdoor space required per child.

Response: The proposed child care facility complies with the Commonwealth of Virginia Department of Social Services "Standards of Licensed Child Day Centers". The plan has also been revised to reduce traffic congestion on Waxpool Road. The applicant

believes the intensity of this use is in line with the recently approved residential development across Waxpool Road.

Comment 4. There is limited vegetation on-site which consists of a few trees predominately along the western property line. The site is overgrown with invasive vegetation which does not lend any value to the development. More appropriate vegetation could be planted in the buffer yards required by the Zoning Ordinance. However, it is unclear from the application if the buffers can be accommodated along the eastern and western boundaries as the proposed parking extends to the property line.

Response: Request for Modification is attached. Please refer to Exhibit-1

Comment 5. Staff recommends that the application be revised to show the required buffer yards and to provide more detailed information on the types of plantings proposed. Staff cannot fully evaluate the proposal until such information is received.

Response: Request for Modification is attached. A chart has been added to sheet 3 of 4 outlining the required and provided buffer yards and landscaping.

Comment 6. Staff recommends depicting how this development is addressing storm water management in the Special Exception application. In addition, staff recommends the use of BMPs on site, such as a rain garden island. Staff defers to ERT regarding the most appropriate BMP for this site.

Response: Pervious pavement will be used wherever possible in the parking lot (drive aisles and parking spaces). A rain garden will be incorporated into the landscape buffer on the north side of the parking lot, which is also the lowest point on the site.

Comment 7. Staff recommends that the applicant work with the Office of Transportation and Community Planning staff to determine the best access location for this site.

Response: Applicant acknowledges staff's comment. Access location has been moved to Shellhorn Road per county's suggestion.

Comment 8. The application provides a landscaping and buffer chart that indicates a 10 foot buffer is required along the eastern and western side yards and a 15 foot buffer along the northern property line. Upon review of the site design, it appears that the side yard buffers cannot be accommodated as the parking encroaches into that area. Further, no design details have been provided regarding the proposed fencing around the site and the playground.

Response: Detailed information for the proposed fencing around the site and the playground are provided in the revised plan. Request for modification in regard with the

side yard buffers is attached. Please refer to Exhibit-3. A chart has been added to sheet 3 of 4 outlining the required and provided buffer yards and landscaping

Comment 9. Staff cannot fully evaluate the effectiveness of the buffers until more information is provided on how the application will accommodate the necessary buffer requirements. Staff requests detailed information regarding the plantings and fencing proposed in order to determine if the effects of noise, lighting and traffic on the adjacent residences will be mitigated.

Response: Detailed information regarding the plantings and fencing proposed is provided in the revised plan sheet 3 of 4.

Comment 10. Given the site's close proximity to a residential area, a detailed lighting plan should be provided for review that includes information on lighting for the building, roadways, play areas and parking areas. Staff recommends shielding the proposed lights to reduce or, if possible, eliminate glare and light trespass on adjacent residential properties. Further, staff requests details regarding any proposed signage to ensure design compatibility with the development.

Response: Proposed lighting for the entry and parking lot are provided for review. Applicant acknowledges staff's recommendation in regard with shielding the proposed lights to eliminate glare and light trespass on adjacent residential properties. Details on signage is provided in the revised plan.

Comment 11. The architectural design appears to be in keeping with the design objectives of the Retail Plan. However, the application shows the elevations as illustrative only. Commitments should be made to ensure that the design will be achieved when the site is developed.

Response: Applicant commits to the request made as stated on sheet 4 of 4.

Comment 12. Pedestrian and bicycle linkages have not been addressed in this application. Staff recommends that the application be revised to demonstrate compliance with the Bike/Ped Plan policies as outlined above.

Response: The recently developed property to the east did not dedicate any area for a future trail and therefore any trail or walkway could not continue to the east. Right of way for Waxpool Road has already been dedicated and any further dedications or easement will reduce the usable area for development of this property even further.

Office of Transportation Services
Memorandum dated June 17, 2009
From George Norah M. Ocel

Comment 1. Shellhorn Road has been terminated with the cul-de-sac immediately north of Waxpool Road. During a recent staff visit, some vehicles were observed using the shopping center entrance at Shellhorn Road to cut through the business center to gain access to Waxpool Road. The proximity of this entrance to the proposed preschool entrance on Waxpool Road is a concern to the OTS staff. OTS believes access via the Shellhorn Road is a safer alternative. In the TIA, it is stated that this proposal was discussed with VDOT. Please describe the details/outcome of this meeting along with VDOT point of contact.

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

Comment 2. The TIA lists "Preferred improvements" by ZMAP 2008-0007, Fairfield at Ryans Corner, which is still under review and pending approval by the Planning Commission and Board of Supervisors. One of those improvements would be to widen Waxpool Road from two to four-lanes from Faulkner Parkway to Ashburn Road. OTS staff agrees with the TIA conclusion that an eastbound left-turn lane on Waxpool Road (Route 625) at the site is warranted for the year 2011. In the event that ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide the left-turn lane.

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

Comment 3. The TIA also recommends the applicant to coordinate with the Fairfield at Ryan's Corner project to assess the potential viability of providing a separate left-turn lane to improve mobility on Waxpool Road and reduce potential conflicts. Please clarify the applicant's position on this recommendation.

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

Comment 4. The shopping center has a short taper to make a right-turn into their site. Has the applicant considered doing something similar. If ZMAP 2008-0007 is not approved, the applicant ought to be responsible to provide an analysis to verify if a taper is warranted. If warranted, the applicant ought to be responsible to provide it.

Sophia Fisher, Project Manager

March 29, 2010

Page 11

Response: This provision is inapplicable due to the change in access point from Waxpool Road to Shellhorn Road per Office of Transportation Services suggestion and advice.

Comment 5. Please provide a cross section of existing Waxpool Road in front of the property on the plat for information purposes.

Response: Applicant acknowledges staff's comment. Two cross sections have been added to sheet 2 of 4.

Comment 6. According to the 2001 CTP, Waxpool Road will require 70 feet of right-of-way. The applicant needs to dedicate 35 feet of right-of-way from the centerline to the property line along the parcel.

Response: Applicant acknowledges staff's comment Dedication has been made per the provision.

Comment 7. Please clarify in the layout of the parking lot that SU-30 design/emergency vehicles can be accommodated.

Response: Applicant acknowledges staff's comment. The turning radius has been depicted on the special exception plat – sheet 3 of 4

Comment 8. Please verify that the dimensions proposed for the entrance on Waxpool Road meet all the VDOT standards for commercial entrances.

Response: The access to the proposed development has been moved to Shellhorn Road per Office of Transportation Service's suggestion. The entrance requirements for the entrance comply with VDOT standards and the width has been noted

Comment 9. Pedestrian access may be necessary along this parcel. Has the applicant considered providing a pedestrian facility in front of the property along Waxpool Road/

Response: The recently developed property to the east did not dedicate any area for a future trail. See previous responses above

Comment 10. Please provide documentation for the assumed 1.0 percent growth rate/year as set forth in the applicant's TIA being appropriate for the adjacent roads.

Response: This comment has been addressed in Traffic Study.

Comment 11. Please depict the AADT on Waxpool Road in front of the site.

Response: Applicant acknowledges staff's comment. The trip information has been added to the plat on sheet 3 of 4.

Sophia Fisher, Project Manager
March 29, 2010
Page 12

Environmental Review Team
Memorandum dated June 10, 2009
From Todd Taylor

Comment 1. No storm water management (SWM)/best management practice (BMP) information is provided with this application. Pursuant to Section 6-1310(H) of the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO), the applicant must address whether the proposed special exception will impact water quality. Staff recommends identifying the storm water quantity and quality approach for the proposed project in plan view as well as in a narrative. Given the limited space on the property, staff recommends that the applicant consider pervious parking (pervious concrete, pavers, etc.) and incorporating a green roof to reduce impervious cover.

Response: Pervious pavement will be used wherever possible in the parking lot (drive aisles and parking spaces). A rain garden will be incorporated into the landscape buffer on the north side of the parking lot, which is also the lowest point on the site.

Comment 2. The current proposal does not meet the required minimum side buffer yard widths. Please revise the plan to allow for the minimum widths to ensure adequate space for buffer yard vegetation. [Revised 1993 LCZO Section 5-1414(B)]

Response: Request for modification is attached to the Responses. Please refer to Exhibit-2. A chart has been added to sheet 3 of 4 outlining the required and provided buffer yards. The applicant requests that the type 2 buffer yard on the west side of the property be reduced from 20 to 12 feet in width adjacent to the building and reduced to 3 feet alongside the parking lot. The applicant also requests that the required type 1 buffer yard on the east side of the property be reduced from 10 feet to 3 feet alongside the parking lot. See sheet 3 of 4 for modification requests.

Comment 3. The RGP supports a built design with this application that helps to sustain the natural environment. Accordingly, the County endorses design measures that conserve energy and water consumption, and improves air quality. RGP policies supporting these design measures include policy one, page 2-20; policy two, page 2-23; and policy one, page 5-41.

Response: Applicant acknowledges staff's comments. Low-flow water fixtures will be used within the facility as well as energy efficient lighting and HVAC systems.

Comment 4. Several design approaches are available to achieve these goals, including Leadership in Energy and Environmental Design (LEED) as administered by the United States Green Building Council; and Energy Star and Water Sense programs administered by the Environmental Protection Agency. Staff supports incorporation of these design approaches and is available to discuss design options with the applicant.

Response: Applicant acknowledges staff's comments. See comment 3

Sophia Fisher, Project Manager
March 29, 2010
Page 13

Division of Environmental Health
Letter dated 21 May 2009
From Matthew D. Tolley Sr. Env. Health Specialist

Comment 1. . The Health Department would encourage the applicant to make application for free abandonment permits for the existing hand-dug well and septic tank now. The actual abandonment would not have to take place until later in the development process.

Response: Applicant acknowledges the staff's comment. Application will be submitted as suggested.